

Report to	Lead Member Delegated Decision Report
Date of Report	06 February 2024
Lead Member / Officer	Cllr Rhys Thomas, Lead Member for Housing and Communities
Head of Service	Helen Vaughan-Evans, Head of Corporate Support Services- Performance, Digital, and Assets
Report author	Joanna Douglass, Lead Project Manager
Title	Public Space Protection Order (PSPO) for Rhyl Town Centre.

1. What is the report about?

- 1.1. The report is about the Public Space Protection Order (PSPO) for Rhyl Town Centre. The effect of the PSPO will be to prevent and deal with individuals and groups of people consuming alcohol and/or causing anti-social behaviour in the Town Centre.

2. What is the reason for making this report?

- 2.1. The reason for the report is for the Lead Member to consider whether to introduce the PSPO under Section 59 of the Anti-Social Behaviour and Policing Act 2014 in an area of Rhyl Town Centre.

3. What are the Recommendations?

- 3.1. The recommendation is for the Lead Member to approve the Public Space Protection Order (PSPO) for Rhyl Town Centre for the duration of three years as per the draft attached (Appendix 1).
- 3.2. That the Lead Member confirms that the Well-being Impact Assessment (Appendix 2) has been read, understood and taken into account.

4. Report details

- 4.1 A PSPO bans certain activities or behaviours which may be considered antisocial from taking place within a geographical area. The order itself is made by the Local County Council, and it is enforced by the local Police Authority.

4.2 Rhyl Town Centre has higher levels of anti-social behaviour than other areas of Rhyl. This anti-social behaviour is unfair and harmful to residents, businesses, and visitors to the High Street Area. Rhyl Town Centre has previously had two PSPOs for anti-social behaviour in place, the first PSPO was introduced in 2016. Since 2016, Denbighshire County Council has worked hard with North Wales Police (NWP) and other partners to ensure there is a range of measures in place alongside the PSPO to support people and discourage them from committing anti-social behaviour. These measures include:

- Support and specialist services for people with alcohol or substance issues
- Re-opening Rhyl Youth Centre on the Promenade
- Dedicated support for young people as part of the Safer Streets funding scheme
- Projects to help prevent people from becoming homeless
- Regular meetings between the Council, North Wales Police and other organisations to share issues, collectively tackle problems and learn from success stories.

4.3 These measures have been successful in reducing anti-social behaviour by approximately 25% since the first PSPO was introduced in 2016. As a result of continued anti-social behaviour in Rhyl Town Centre, North Wales Police and Denbighshire County Council intend to secure an order that prevents and deals with individuals and groups consuming alcohol and/or causing anti-social behaviour in the Town Centre.

4.4 A PSPO cannot be implemented without substantial evidence of need. North Wales Police (NWP) provided evidence to the local authority, who undertook a strict legal test to justify the conditions of the PSPO, and the area that will be subject to it. NWP have advised that based on evidence covering the past two years, they cannot legally justify the inclusion of street begging in this proposed PSPO, nor can they justify an extension to the Marina Quay area of Rhyl.

4.5 The boundary of the area covered is described as follows (Appendix 3).

- Rhyl Promenade from East Parade to Alexandra Road
- South from East Parade down Bath Street
- From Brighton Road to the junction with Grange Road Bridge and west to Elwy Street
- Elwy Street to the junction with Wellington Road

- Wellington Road to John Street
- John Street to West Parade, including the promenade.

4.6 The conditions the PSPO would prohibit is as follows:

- **Anti-Social Behaviour:** Anti-social behaviour includes causing nuisance, alarm or harassment to a person, group of people and/or property.
- **Street Drinking:** Street drinking refers to the consumption of alcohol in a public place. A 'container' of alcohol includes (but may not be limited to): bottles, cans, flasks, glasses, cups, or any other container capable of containing liquids.

4.7 The consequence of this PSPO will be that North Wales Police (NWP) will have additional powers to deal with issues with respect of anti-social behaviour and street drinking for three years, up until 2027.

4.8 A public consultation was undertaken, and key stakeholder groups were notified. There was also direct engagement with the Rhyl Members Area Group and Rhyl Town Council. The outcome presented an overwhelming support (92% of respondents) in favour of introducing this PSPO up until 2027. (Appendix 4).

4.9 Denbighshire County Council will continue to work hard with NWP and other organisations to address the causes of anti-social behaviours at their root cause and prevent future incidents, however, we believe that the PSPO as a tool for addressing anti-social behaviour when it does happen is still a valid tool in ensuring that Rhyl Town Centre can be a safe, welcoming and inclusive environment for everybody.

5. How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?

5.1 Due to the negative impacts of the behaviours covered in this proposed PSPO on Rhyl High Street, this proposal will positively impact on the Prosperous theme.

6. What will it cost and how will it affect other services?

6.1 Consideration will be given to the cost of producing and installing new signage to ensure that the boundary area of the PSPO is clearly marked. This will be funded from within the existing Community Safety service budget. A failure to adequately inform the public of the PSPO and its conditions may result in an unlawful Fixed Penalty Notice issued or failed prosecutions.

6.2 The Communication, Marketing & Engagement team will update the Denbighshire website with the Public Space Protection Order if this delegated report is approved.

7. What are the main conclusions of the Well-being Impact Assessment?

7.1 The Well-being Impact Assessment was undertaken as a group, with Cllr Rhys Thomas, Lead Member for Housing and Communities, Sian Taylor, Community Safety Manager and Joanna Douglass, Lead Project Manager all involved in the process. (Appendix 2)

7.2. The well-being impact assessment concludes that the overall impact is positive. Whilst some of the well-being goals are neutral, there are no negative impacts on the well-being goals of implementing this PSPO.

8. What consultations have been carried out with Scrutiny and others?

8.1 A full public consultation was undertaken, which began on the 24th of November 2023 and ran until Sunday the 21st of January 2024. Additionally, the Head of Service and Lead Member for Housing and Communities attended the Rhyl Member Area Group Meeting (18th of December 2023) and Rhyl Town Council (17th of January 2024), as part of the direct engagement and notification of the consultation.

8.2 As a result of this public consultation exercise, a total of 100 respondents accessed the survey. The outcome presented an overwhelming support for the introduction of this PSPO with 92% of the respondents in favour. A further (93%) agreed that the order should include anti-social behaviour, and (90%) agreed that the order should also include street drinking. Additionally, (76%) were in agreement with the boundaries for the restricted area of the PSPO (Appendix 4).

8.3 It is noted that a small number of respondents raised comments on Street Begging, drug use, and an expansion to the boundary area of the PSPO. NWP have advised, that based on evidence covering the past two years, they cannot legally justify the inclusion of street begging in this PSPO. Should Street begging occur, referrals and encouragement to engage with support will be provided. Police already have the power to tackle those, taking, carrying or selling drugs. There has also been no Police evidence to legally justify the extension of the boundary area to Marina Quay.

8.4 The issue of a Fixed Penalty Notice will not necessarily be the most appropriate form of action, and alternative resolutions according to the circumstances of the individuals involved will be invoked.

8.5 Denbighshire County Council will continue to work hard with NWP and other organisations to address the causes of anti-social behaviour at their root cause and prevent future incidents. The PSPO will be an additional tool for addressing anti-social behaviour when it does happen.

9. Chief Finance Officer Statement

9.1 The recommendation for the Lead Member to approve the proposed PSPO is supported as the costs can be maintained within existing resources and the benefits for the area, as outlined in the report, will help contribute to the Corporate Priorities.

10. What risks are there and is there anything we can do to reduce them?

10.1 There is a risk that some advocacy groups may object to this PSPO. To counter this, we have referenced the partnership working that takes place to support Rhyl residents to address these issues. But maintain that this PSPO is an additional tool that is required to address the behaviours that have a detrimental effect on the town.

11. Power to make the decision

11.1 The statutory power to approve a PSPO is contained within Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014. Appendix 2(b) to Section 13 of the Council's Constitution outlines the powers delegated to the Lead Member with respect to decisions within his/her portfolio.

Appendices

Appendix 1- Public Space Protection Order for Rhyl Town Centre

Appendix 2- Rhyl Town Centre (PSPO) Well-being Impact Assessment

Appendix 3 – Rhyl PSPO Boundary Map

Appendix 4 – Summary of Public Consultation Responses