
Meeting:	Combined Executive Member Decision Session
Meeting date:	02/09/2025
Report of:	Director of Housing & Communities
Portfolio of:	Executive Member for Housing Planning & Safer Communities

Decision Report - Request to consult about extending the current Public Space Protection Order within the city walls.

Subject of the report

1. This report is to agree to proceed to public consultations on the potential extension of a Public Space Protection Order (PSPO) to tackle the problems caused by groups of people within the city walls. See annex 1 for a map of the area covered.

Benefits and Challenges

2. The unique layout of the city with its compact mix of residential, commercial and licensed premises makes it difficult to avoid conflict between different user groups. This often results in perceptions of the city being a safe place being more negative than the actual crime figures would suggest. A partnership approach between all key stakeholders in the city, including City of York Council and North Yorkshire Police has ensured that where issues arise, they are quickly addressed through a combination of enforcement and education.
3. The city centre faces different issues to lots of other areas across the city, including large number of groups of people, street drinkers, begging, and people loitering, which other residents and visitors can find intimidating. North Yorkshire Police have advised that they would support the consultation around the PSPO and discussions about extending the scope of this order.
4. Prior to the introduction of the PSPO in the city centre, the police were utilising their dispersal powers where incidents of anti-social behaviour

increased following the reopening of the city centre. This power requires the preauthorisation of an order by an Inspector. Therefore it does not enable an immediate reactive response to tackling alcohol related anti-social behaviour. The PSPO enables police officers to seize alcohol where it is associated with anti-social behaviour that is impacting on the quality of life for people in that area. The key requirement is the associated anti-social behaviour and the power does not ban drinking alcohol in open spaces where it is happening responsibly

5. During the course of the first seven months of 2025, there were 573 incidents within the city walls, for a wide variety of reasons including violence, ASB and concern for safety. This demonstrates the large number of people who use the city centre across all days of the week and times of the day.

Policy Basis for Decision

6. The extension of the PSPO in the area, supports the priorities within the Council Plan 2023-27, One City For All:
 - Build Community Pride
 - Make the City Centre Work for Everyone

Financial Strategy Implications

7. The cost of undertaking the consultation exercise can be met within current budgets.

Reasons and Recommendations

8. It is recommended that the Executive Member approve the decision to consult with the public and partners on the extension of the PSPO which would ensure that the Council would have greater powers to deal with anti-social behaviour within the city walls including the following possible options the council could consider:
 - A ban on drinking alcohol within the area;
 - The ability to remove large groups of 3 or more people who are causing anti-social behaviour for both sites;
 - Begging, no person shall make any verbal, non-verbal or written request for money, donations or goods, including the placing of hats, clothing or containers so as to cause or is likely to cause harassment, alarm, distress, nuisance or annoyance.

- No return within 24 hours if asked to leave. No person shall, after being requested to leave by an authorised officer due to them behaving in a manner causing or likely to cause harassment, alarm, distress, nuisance or annoyance to any person within the city Centre without reasonable excuse, remain or return to the city Centre within a period of 24 hours.
- Loitering, no person shall loiter, sit or lay on the floor or on temporary structures in or adjacent to doorways or around pay machines (including banks, supermarkets) in a manner causing or likely to cause harassment, alarm, distress, nuisance or annoyance to any person within the city Centre.

Background

9. The Anti-Social Behaviour, Crime and Policing Act 2014 came into force on the 20th October 2014 and changed the powers available to local authorities and the police to deal with anti-social behaviour in our communities.
10. The Act introduced new powers, including, a Public Spaces Protection Order, which is granted by the Local Authority, but can be enforced by either the Local Authority or the Police. A PSPO will allow the council to stop individuals or groups from carrying out acts of anti-social behaviour.

11. The PSPO serves to protect a public space from persistent or continuing anti-social activity by individuals or groups that is having a detrimental effect on the quality of life of those in the locality. Such an order lasts for a period of up to 3 years, with provision for extensions for up to 3 years at a time. The process starts by way of consultation, and after this time, a decision is taken by a Local Authority to grant a PSPO. This power replaces the previous gating orders, designated public place orders (relating to restrictions on alcohol consumption) and dog control orders.
12. Breaching the conditions of a PSPO is a criminal offence with the option open to officers to issue a Fixed Penalty Notice (FPN) or to prosecute the breach in the Magistrates Court. Association of Chief Police Officers guidance indicates that all breaches of PSPO and non-payment of FPN rests with the Local Authority. Failure to pay an FPN within a given period is likely to lead to prosecution for the original offence.

Consultation Analysis

13. North Yorkshire Police and some partner organisations have been consulted about this and support undertaking the wider consultation with residents to establish their views so that the Executive Member can make an informed decision.

Options Analysis and Evidential Basis

14. Options considered were
 - a. To consult on the extension of the PSPO which would ensure that the Council would have greater powers to deal with anti-social behaviour in these areas.
 - b. Not to consult on the extension of a PSPO which would restrict the Council's ability to tackle anti-social behaviour in the area
15. Option rejected was
 - a. Not to consult on the extension as this will restrict the options available to challenge ASB in this high profile area of the city.

Organisational Implications

- ***Financial***, *There are no financial implications associated with this decision*

- **Human Resources (HR)**, there are no HR implications
- **Legal**, there are no Legal implications with carrying out consultation with residents about whether they support a PSPO
- **Procurement**, there are no procurement implications
- **Health and Wellbeing**, there are no health and well being implications
- **Environment and Climate action**, there are no environmental or climate action implications
- **Affordability**, there are no affordability implications
- **Equalities and Human Rights**, An EIA will be carried out if there is support for the recommendations from the public consultation once it has been decided what s to be included
- **Data Protection and Privacy** there are no data protection issues with the consultation process
- **Communications**, there are no communication implications
- **Economy**, there are no economic implications

Risks and Mitigations

There are no risks identified with this decision

Contact Details

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Chief Officer Responsible for the report:

Chief Officer's name – Pauline Stuchfield
Title – Director of Housing and Communities

**Report
 Approved**



Date 20/8/25

Wards Affected: Guildhall

All ☐

For further information please contact the author of the report

Background Papers:

None

Annexes

Annex 1 – map highlighting proposed area of PSPO

List of Abbreviations Used in this Report

PSPO – Public Space Protection Order

NYP – North Yorkshire Police

FPN – Fixed Penalty Notice

ASB – Anti-social behaviour