

## **REPORT ON THE INTRODUCTION OF A PUBLIC SPACE PROTECTION ORDER FOR AYLESBURY TOWN CENTRE**

### **1 Purpose**

- 1.1 To inform the Members of Licensing Committee of the results of the consultation in respect to the introduction of a Public Space Protection Order for Aylesbury town centre.
- 1.2 To seek agreement of the proposed Public Space Protection Order and recommend Cabinet Member approval.

### **2 Recommendations/for decision**

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| <ol style="list-style-type: none"><li>2.1 For Members to note the comments arising from consultation in respect to a proposed Public Space Protection Order; and</li><li>2.2 For Members to recommend the Order attached as Appendix 1 to this report for Cabinet Member approval.</li></ol> |
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### **3 Supporting information**

- 3.1 Members will recall they received a report on the 29 February 2016 regarding a proposed Public Space Protection Order (PSPO) for Aylesbury town centre. PSPOs were introduced in October 2014 via the Anti-Social Behaviour, Crime and Policing Act ('the Act'). They effectively replace existing Designated Public Place Orders which are limited to the control of the public consumption of alcohol. They also replace any existing Dog Control Order. PSPOs are much more flexible and can be used to control a variety of anti-social behaviours. The purpose of the previous report was to afford Members of Licensing Committee the opportunity of commenting on the proposed PSPO during its consultation.
- 3.2 The proposed PSPO sought to address 6 behaviours that have a detrimental effect on the quality of life of those in the town centre and are considered persistent and continuing. In summary the behaviours are as follows:
  - Public consumption of alcohol or having an open container of alcohol
  - Public urination or defecation
  - Aggressive or intimidating begging
  - Aggressive or intimidating behaviour
  - Control of dogs
  - The unauthorised parking of motor vehicles on Kingsbury and Market Square.

However, for reasons set out in paragraph 3.8 it is recommended that 'aggressive or intimidating begging' be removed. In this respect the amended Order is attached as Appendix 1.

- 3.3 The Act is not overly prescriptive about the process required for the introduction of a PSPO but does require the Council to consult with the police,

community representatives and owners and occupiers of land affected. In this respect the following were consulted with:

- Thames Valley Police Area Commander
- District Council Cabinet Members for Community Safety and Civic Amenities and Environment
- District Council Ward Members
- BCC Highways
- Aylesbury Town Council
- Aylesbury Old Town Residents Association
- Aylesbury Hackney Carriage Association

- 3.4 In addition articles were prepared for the Aylesbury Pubwatch website, the Town Centre Partnership Newsletter and press releases attracted interest from the Bucks Herald, both BBC South and BBC Oxford and Mix 96. The draft Order was posted on the District Council's website with an on-line comments facility for approximately 7 weeks.
- 3.5 The on-line survey prompted 8 responses, unsurprisingly all supporting the proposed behaviours. These are attached as Appendix 2. Aylesbury Town Council also confirmed their support for the PSPO. Finally the Local Police Area Commander responded to the consultation, which provided general support but quite rightly pointed out the need for an enforcement protocol, as some agencies are better placed than others to deal with the proposed behaviours. Some of the proposals were also questioned in terms of necessity and sensitivity. The Area Commander's comments are attached as Appendix 3.
- 3.6 In order to introduce a PSPO, a local authority must be satisfied on reasonable grounds that 2 conditions are met. First, that activities carried on in a public space within the authority's area have a detrimental effect on the quality of life of those in the locality; or it is likely that activities will be carried on within a particular area and that they will have such an effect. Second, that the effect, or the 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 notice.
- 3.7 Arising from the consultation a number of comments deserve further consideration. Both the police and another have pointed out the need to ensure that the PSPO is not used inappropriately on people who, for example find themselves homeless. The Area Commander rightly recommends the adoption of a broader prevention strategy. Before implementation an enforcement strategy will need to be drafted and agreed with the police and the local authorities which will make clear the commitment and methods to be used to enforce the order. Guidance to the Act suggests that issues are resolved at the lowest level of intervention as possible, such as offering advice and depending on the nature of the behaviour a referral to a support agency. Experience of implementing the DPPO has not resulted in any formal enforcement and the issuing of fixed penalty notices or other formal action in respect to the PSPO is expected to be very infrequent.
- 3.8 A number of other authorities have been severely criticised by the National Council for Civil Liberties and similar groups, particularly those councils that have targeted rough sleepers and the homeless. Given the success of the

police in dealing with aggressive beggars as set out in the Area Commander's representation and the potential sensitivity of this particular behaviour and its wider social ramifications, it is recommended that it is removed from the final PSPO.

- 3.9 The police question whether unauthorised parking of motor vehicles should be addressed using a PSPO. Issues such as parking are normally dealt with by the County's parking enforcement officers and it appears counter intuitive to include parking as an anti-social activity. However the public realms of Kingsbury and Market Square in legal terms do not permit enforcement in the normal way. In fact the only legal redress would be to pursue the owners of the vehicles for trespass. It can be argued that the unauthorised parking of motor vehicles on Kingsbury and Market Square has had and does have a detrimental effect on the quality of life of those in the locality in a number of ways. Apart from the structural damage (arguably criminal damage) caused to surfaces, they have prevented the lawful trading of some local businesses and town centre events and have aroused some hostility in the town centre. However this part of the PSPO should sensibly be enforced by the existing County enforcement officers and, perhaps the district's civic enforcement officers but not the police.
- 3.10 The Aylesbury Hackney Carriage Association have further proposed that parking in taxi ranks be included as part of the PSPO, citing the absence of traffic wardens to enforce traffic regulations late at night. There is evidence that members of the public do routinely park on taxi ranks and, in particular the Kingsbury rank during the evening and night time. However, unlike parking on Kingsbury and Market Square parking on a taxi rank is already unlawful and the problem arises from a lack of enforcement. Police priorities, particularly in the evening and late at night are dominated with tackling crime and disorder and minimising anti-social behaviour and, as set out in the previous paragraph and the representation from the police, parking enforcement should remain with the County. Therefore parking in taxi ranks is not an appropriate behaviour to be included within the proposed PSPO. However the concerns of the taxi trade will be brought to the attention of the County.
- 3.11 In respect to the control of dogs, it was assumed prior to consultation that the town centre was subject to a Dog Control Order (DCO) and since PSPOs replace DCOs it was proposed to include it within the new order. However it transpires that the town centre is not subject to a DCO. Dog fouling is currently enforced under the Dogs (Fouling of Land) Act 1996. However the drafting of this piece of legislation does not adequately cover the whole of the town centre. It is common for dog owners to walk their dogs through the town centre as well as St Mary's churchyard and the Mount. It is proposed that the PSPO should address dog fouling as it will rationalise the existing piecemeal coverage of the Dogs (Fouling of Land) Act and ensure a clear and consistent approach to dog fouling. It is not a behaviour that has in the past required any significant enforcement, as it has generally become an accepted duty of dog ownership. However it would be a useful tool for the few that disregard convention.
- 3.12 Implementation of the order will require a public notice to be published in a local newspaper, notification on the Council's website and press releases through media outlets. Although not specifically mentioned in the Act, signage would normally be required in the area explaining the order in plain English and what it means in practical terms. This is to provide support for enforcement and prevent risks of mitigation pleas.

- 3.13 Suffice to say the creation of the PSPO is a relatively straight forward exercise. However its practical implementation will require some considerable thought from all those with responsibilities and its communication via the press will require careful drafting so as to ensure the public do not perceive its enforcement as exclusively police led. During its passage through Licensing Committee Members agreed to receive a report early in 2017 regarding a review of its practical effectiveness.

#### **4 Options considered**

- 4.1 The town centre's existing DPPO can either be withdrawn or replaced by a PSPO.

#### **5 Reasons for Recommendation**

- 5.1 The Anti-Social Behaviour, Crime and Policing Act 2014 has made changes to legislation and requires the Council to consider its existing DPPOs.

#### **6 Resource implications**

- 6.1 There will be relatively small cost implications in advertising the Order and replacing existing signage.

Contact Officer	Pete Seal 01296 585083
Background Documents	Anti-Social Behaviour, Crime and Policing Act 2014: Statutory guidance for frontline professionals

ANTI-SOCIAL BEHAVIOUR, CRIME AND DISORDER AND POLICING ACT 2014

SECTION 59

PUBLIC SPACES PROTECTION ORDER

This Order is made by Aylesbury Vale District Council ('The Council') under the Anti-Social Behaviour, Crime and Policing Act 2014 Section 59 ('the Act').

1. This order relates to the land described in Paragraph 1 of the Schedule below and defined by the red border on the plan attached to this Order ('the restricted area'), being a public place in the Council's area to which the Act applies:
2. The Council is satisfied that the 2 conditions below have been met, in that:
  - a. Activities carried on in the restricted area as described below, have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public place and that they will have such an effect. The said activities being:
    - 1) The consumption of alcohol and anti-social behaviour associated with the consumption of alcohol, taking place in the public place.
    - 2) Public urination and defecation.
    - 3) Aggressive or intimidating behaviour.
    - 4) Dog fouling.
    - 5) The unauthorised parking of motor vehicles on the public realm of Kingsbury and Market Square.
  - b. That the effect, or likely effect of the activities described above is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

**BY THIS ORDER**

3. The effect of the Order is to impose the following prohibitions at all times:
  - a. In the restricted area any person who continues to carry out the following activities from which they are prohibited commits an offence:
    - 1) Consuming alcohol or being in possession of an open container of alcohol.
    - 2) Public urination or defecation.
    - 3) General behaviour reasonably perceived to be intimidating and/or aggressive.
    - 4) Failure of owner or person in control to remove dog faeces.
    - 5) Parking without permission or authority on the public realm of Kingsbury and Market Square.

4. The order will remain in force for a period of 3 years from the date of this Order, unless extended by further Orders under the Council's statutory powers.
5. A person guilty of an offence under conditions 3.(a.1) above, under Section 63 of the Act is liable on summary conviction to a fine not exceeding level 2 on the standard scale or fixed penalty notice of a maximum £100.
6. In this area any person who fails to comply with any of the conditions set out in 3.(a.2 -5) above, under Section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale or fixed penalty notice of £100.

### **THE SCHEDULE**

1. The Restricted area shown edged in red on the map attached hereto.

### **APPEAL**

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 the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of the order on two grounds: that the Council did not have the power to make the order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the order, quash it, or vary it.

Dated.....

## PSPO Consultation responses

### **ONE**

#### **PAGE 2**

**Q2: Having read through the consultation document, What are your views on using the PSPO to deter the Public consumption of alcohol or having an open container of alcohol**

Completely agree - there is no question it would improve the situation and deter repeat offenders.

#### **PAGE 3**

**Q3: Having read through the consultation document, what are your views on the PSPO being used to deter public urination and defecation?**

Agree !

#### **PAGE 4**

**Q4: Having read the consultation document, what are your views on the PSPO being used to deter aggressive or intimidating begging?**

Agree - there are sometimes 2 or 3 different people begging in the town center. I have not been personally intimidated by them but I could imagine for some people they are...

#### **PAGE 5**

**Q5: Having read the consultation document, what are your views on using the PSPO to deter aggressive or intimidating behaviour?**

Agree !

#### **PAGE 6**

**Q6: Having read the consultation document, what are your views on using the PSPO for the control of dogs (fouling, behaviour)?**

Don't actually see this as a problem - most dog owners seem responsible..

#### **PAGE 7**

**Q7: Having read through the consultation document, what are your views on the PSPO being used to control private vehicles parking on Kingsbury and Market Square?**

Agree - surprised you can't just clamp / ticket them at present...

#### **PAGE 8**

**Q8: Having looked at the proposed map for the Aylesbury Town PSPO, do you have any comments?**

Long overdue. The police need a mechanism to deter people who are making life miserable for others...

**: Finally, considering the PSPO are there any other comments you would like to make?**

See prior comments

### **TWO**

**Having read through the consultation document, What are your views on using the PSPO to deter the Public consumption of alcohol or having an open container of alcohol**

Good idea, public drunkenness is bad.

**PAGE 3**

**Q3: Having read through the consultation document, what are your views on the PSPO being used to deter public urination and defecation?**

In the interest of hygiene this is a good idea. However, how will homeless people be treated, who may have no choice?

**PAGE 4**

**Q4: Having read the consultation document, what are your views on the PSPO being used to deter aggressive or intimidating begging?**

I support this.

**PAGE 5**

**Q5: Having read the consultation document, what are your views on using the PSPO to deter aggressive or intimidating behaviour?**

I support this.

**PAGE 6**

**Q6: Having read the consultation document, what are your views on using the PSPO for the control of dogs (fouling, behaviour)?**

I very strongly support this, having seen dogs out of control in the area before.

**PAGE 7**

**Q7: Having read through the consultation document, what are your views on the PSPO being used to control private vehicles parking on Kingsbury and Market Square?**

I support this.

**PAGE 8**

**Q8: Having looked at the proposed map for the Aylesbury Town PSPO, do you have any comments?**

*Respondent skipped this question*

**PAGE 9**

**Q9: Finally, considering the PSPO are there any other comments you would like to make?**

*Respondent skipped this question*

**THREE**

**Q2: Having read through the consultation document, What are your views on using the PSPO to deter the Public consumption of alcohol or having an open container of alcohol**

There are ample places to legitimately consume alcohol within the area. Remaining areas should be safe for others to enjoy without alcohol present. I am strongly PRO this measure.

**PAGE 3**

**Q3: Having read through the consultation document, what are your views on the PSPO being used to deter public urination and defecation?**

The absence of public conveniences is a shame and perhaps should be addressed separately. However public urination and defecation, particularly in such built-up areas, is inappropriate. I am strongly PRO this measure.

**PAGE 4**

**Q4: Having read the consultation document, what are your views on the PSPO being used to deter aggressive or intimidating begging?**



I have not experienced this although the activities of "charity collectors" might easily fit within this description. I am AMBIVALENT about this measure.

#### **PAGE 5**

**Q5: Having read the consultation document, what are your views on using the PSPO to deter aggressive or intimidating behaviour?**

The repeated actions of a very few, threaten to make Aylesbury town centre unpleasant to visit and difficult to trade in. The shopkeepers of Kingsbury have suffered long enough. I am strongly PRO this measure.

#### **PAGE 6**

**Q6: Having read the consultation document, what are your views on using the PSPO for the control of dogs (fouling, behaviour)?**

I keep two dogs in the town centre. I pick up after them and try to control their behaviour. Responsible pet ownership benefits everybody. I am strongly PRO this measure.

#### **PAGE 7**

**Q7: Having read through the consultation document, what are your views on the PSPO being used to control private vehicles parking on Kingsbury and Market Square?**

Historic Market Square will be ruined without intervention. Additionally, keeping the lines of sight clear and waiting areas open for the taxis will benefit the community at large. I am strongly PRO this measure.

#### **PAGE 8**

**Q8: Having looked at the proposed map for the Aylesbury Town PSPO, do you have any comments?**

No.

#### **PAGE 9**

**Q9: Finally, considering the PSPO are there any other comments you would like to make?**

Regulations are only useful with active enforcement. I watch chewing gum and cigarette ends be discarded daily yet never see people penalised. If we wish to make this exercise worthwhile we must follow through with active enforcement and support of those doing so.

### **FOUR**

**Q2: Having read through the consultation document, What are your views on using the PSPO to deter the Public consumption of alcohol or having an open container of alcohol**

Excellent

#### **PAGE 3**

**Q3: Having read through the consultation document, what are your views on the PSPO being used to deter public urination and defecation?**

Excellent

#### **PAGE 4**

**Q4: Having read the consultation document, what are your views on the PSPO being used to deter aggressive or intimidating begging?**

Excellent

#### **PAGE 5**

**Q5: Having read the consultation document, what are your views on using the PSPO to deter aggressive or intimidating behaviour?**

Excellent

**PAGE 6**

**Q6: Having read the consultation document, what are your views on using the PSPO for the control of dogs (fouling, behaviour)?**

Excellent

**PAGE 7**

**Q7: Having read through the consultation document, what are your views on the PSPO being used to control private vehicles parking on Kingsbury and Market Square?**

This has been a problem for a very long time. The cars are currently parked on footpath areas. So the PSPO Order will be excellent in the way of controlling these vehicles.

**PAGE 8**

**Q8: Having looked at the proposed map for the Aylesbury Town PSPO, do you have any comments?**

No

**PAGE 9**

**Q9: Finally, considering the PSPO are there any other comments you would like to make?**

*Respondent skipped this question*

**FIVE**

**Q2: Having read through the consultation document, What are your views on using the PSPO to deter the Public consumption of alcohol or having an open container of alcohol**

Agree entirely, but will this work in summer months when pubs etc have chairs outside?

**PAGE 3**

**Q3: Having read through the consultation document, what are your views on the PSPO being used to deter public urination and defecation?**

Definitely at all times.

**PAGE 4**

**Q4: Having read the consultation document, what are your views on the PSPO being used to deter aggressive or intimidating begging?**

Definitely at all times.

**PAGE 5**

**Q5: Having read the consultation document, what are your views on using the PSPO to deter aggressive or intimidating behaviour?**

Definitely at all times.

**PAGE 6**

**Q6: Having read the consultation document, what are your views on using the PSPO for the control of dogs (fouling, behaviour)?**

Definitely, at all times. Personally I cannot see why people want to walk their dogs in town anyway.

**PAGE 7**

**Q7: Having read through the consultation document, what are your views on the PSPO being used to control private vehicles parking on Kingsbury and Market Square?**

Most definitely, but in all parts of the town not just these two places, especially if the new proposals by BCC come into force.

**PAGE 8**

**Q8: Having looked at the proposed map for the Aylesbury Town PSPO, do you have any comments?**

No, it seems to cover all parts of the town centre, new and old.

**PAGE 9**

**Q9: Finally, considering the PSPO are there any other comments you would like to make?**

These proposals are all going to need extra staff to implement them. They need to be covered 24/7

## **SIX**

**Q2: Having read through the consultation document, What are your views on using the PSPO to deter the Public consumption of alcohol or having an open container of alcohol**

I agree - unless it's an organised celebration such as those at Waddesdon Manor alcohol should not be consumed in the street

**PAGE 3**

**Q3: Having read through the consultation document, what are your views on the PSPO being used to deter public urination and defecation?**

Fully agree - there can be no excuse for this behaviour

**PAGE 4**

**Q4: Having read the consultation document, what are your views on the PSPO being used to deter aggressive or intimidating begging?**

I agree

**PAGE 5**

**Q5: Having read the consultation document, what are your views on using the PSPO to deter aggressive or intimidating behaviour?**

I agree - people should feel safe walking in the town

**PAGE 6**

**Q6: Having read the consultation document, what are your views on using the PSPO for the control of dogs (fouling, behaviour)?**

Fully agree - apart from the obvious health concerns from both fouling & uncontrolled dogs it is unnerving to walk near an un leashed dog

**PAGE 7**

**Q7: Having read through the consultation document, what are your views on the PSPO being used to control private vehicles parking on Kingsbury and Market Square?**

I agree - however, would it not be more cost effective to have rising bollards to inhibit access to both areas?

**PAGE 8**

**Q8: Having looked at the proposed map for the Aylesbury Town PSPO, do you have any comments?**

There shouldn't be any boundaries - all behaviours detailed in the proposal are unacceptable WHEREVER they are displayed

#### **PAGE 9**

**Q9: Finally, considering the PSPO are there any other comments you would like to make?**

*Respondent skipped this question*

### **SEVEN**

#### **PAGE 9**

**Q9: Finally, considering the PSPO are there any other comments you would like to make?**

AOTRA committee considered this proposal and requested me to advise that they were broadly in favour of it.

### **EIGHT**

**Q2: Having read through the consultation document, What are your views on using the PSPO to deter the Public consumption of alcohol or having an open container of alcohol**

In my opinion it is absolutely right that consumption of alcohol in the zone should be deterred as it makes the town centre look and feel safe, but the persons involved should only be given a fine as a last resort and should be given a chance to dispose of their alcohol first.

#### **PAGE 3**

**Q3: Having read through the consultation document, what are your views on the PSPO being used to deter public urination and defecation?**

This is a disgusting thing to do especially when there are toilets in many of the establishments in town centre and there are also a number of public toilets. In my opinion there is no excuse for this behaviour and a fixed penalty should be given regardless.

#### **PAGE 4**

**Q4: Having read the consultation document, what are your views on the PSPO being used to deter aggressive or intimidating begging?**

Whilst working in town centre I have not noticed any aggressive or intimidating begging although I have seen the same persons, usually by a cash machine, begging. That said if the persons are being aggressive or intimidating then a fixed penalty should be given in order to deter this kind of behaviour thereby making the general public feel safer.

#### **PAGE 5**

**Q5: Having read the consultation document, what are your views on using the PSPO to deter aggressive or intimidating behaviour?**

In my view aggressive or intimidating behaviour is in no way acceptable. This may be an easy and quick way of dealing with such behaviour and the person or persons involved may think twice before behaving in this manner again. In my view this would deter most people in behaving this way and help prevent any small scuffles from breaking out, again making the town centre feel safe.

#### **PAGE 6**

**Q6: Having read the consultation document, what are your views on using the PSPO for the control of dogs (fouling, behaviour)?**

I have seen on occasions dogs without a leash running free in town centre sometimes fouling near entrances to establishments like cafes, bars and restaurants. Some of the public may find dogs running free or dogs barking in

an aggressive manner intimidating. Although most dog owners are very responsible they are still some that are not and in my view these irresponsible dog owners should be given a fixed penalty.

#### **PAGE 7**

**Q7: Having read through the consultation document, what are your views on the PSPO being used to control private vehicles parking on Kingsbury and Market Square?**

As a taxi driver I have seen the problem of private vehicles parking in Kingsbury and Market Square gradually get worse over time. Now the problem has also spilled onto the taxi ranks and is greatly affecting our trade in terms of safety and the service we provide to the public. The problem is largely due to the fact that there is a lack of enforcement (no traffic wardens). This is more noticeable in the evenings and late night on the weekends when there is a high demand for our services. In order to prevent this problem getting any worse I believe the PSPO should be used to control any vehicle, other than Black Taxis, from parking on any taxi rank within the zone. There is also a major problem with Private Hire vehicles parking within the zone and illegally touting (soliciting) for business. The PSPO should also be used to discourage this illegal trade which has been a problem for many years in the town centre and in my opinion is the reason why drivers feel they can park anywhere in town centre.

#### **PAGE 8**

**Q8: Having looked at the proposed map for the Aylesbury Town PSPO, do you have any comments?**

I think the zone covers most of the town centre where these problems occur. Although in the future this may need to be expanded as the town centre grows.

#### **PAGE 9**

**Q9: Finally, considering the PSPO are there any other comments you would like to make?**

As a taxi driver I have seen many changes in the town centre especially in the last five years. Many businesses, residents and general public would feel safe in the knowledge that there are measures in place to deter and help prevent unruly behaviour. In my opinion the PSPO is much needed as it would give the Police powers to deal with certain situations immediately and effectively.

**From:** Wright Oliver [<mailto:Oliver.Wright@thamesvalley.pnn.police.uk>]  
**Sent:** 01 April 2016 17:23  
**To:** Seal, Peter  
**Cc:** Kentish Neil; Davies James (BUCKS)  
**Subject:** RE: Public Space Protection Order - Aylesbury town centre

Peter

I apologise that we've just missed your deadline of 31 March. We've given careful consideration to the PSPO proposal, and I have discussed briefly with Stephanie Moffat.

As you know, the government's statutory guidance for PSPO's is that the behaviours that the local authority is looking to restrict must have, or be likely to have a "detrimental effect on the quality of life of those in the locality", "be persistent" and "be unreasonable."

In terms of the behaviours that AVDC is currently exploring:

**1. *Public consumption of alcohol or having an open container of alcohol.***

This is already in place through the DPPO, so would naturally make sense to be included.

**2. *Public urination and defecation.***

This seems reasonable and we would deal with it if we came across it in any case.

**3. *Aggressive or intimidating begging***

Existing powers already cover this, and the police can arrest and convict. There have been 4 relatively recent arrests and 3 convictions.

**4. *Aggressive or intimidating behaviour.***

We already deal with that so this may make our job a little easier, but it is covered already under the Public Order Act (Section 5 Public Order Act 1986, for example).

**5. *Control of dogs.***

We would like to see more evidence of how much this is an issue in Aylesbury town centre, and what the issue is that this would be intended to tackle: prohibit access, control or defecation issues? Who would be expected to enforce?

**6. *The unauthorised parking of motor vehicles on Kingsbury and Market Square.***

We are not currently convinced that unauthorised parking of motor vehicles would be appropriate for this piece of legislation, as PSPOs are supposed to target anti-social activities, rather than parking. This one stands alone, the key for me being that this piece of legislation is to deal with ASB, not parking. This problem could probably be dealt with through other means, such as closing the gaps between the Town Council

planters, so that people can't drive through. Any enforcement of this, should it be included, would need to be by local authority parking enforcement, rather than police.

## **Overall**

TVP would like to see more detail on what AVDC's enforcement strategy for a PSPO would be. Whilst TVP would undoubtedly have a part to play in enforcing some aspects of a PSPO, there is a risk that expectations would be raised, leading to a disproportionate use of police resources. We would want to be part of a broader, partnership strategy. For example, other local authority areas have more parking enforcement officers, local authority wardens etc to take on a number of areas of non-criminal enforcement. Is this being considered here? There is also a risk that we would simply be moving people on from one place to another, and would want to see how a PSPO sits within a broader strategy to prevent the problems in the first place (eg homeless/rough sleepers: it's not illegal to be homeless, many people have simply fallen on hard times, and we wouldn't want to find ourselves using a PSPO simply to move people 'out of sight' to somewhere else without a broader strategy to tackle the problem at root cause).

We're obviously happy to engage further in discussions.

Best wishes

Olly

**Olly Wright** | Superintendent | LPA Commander | Aylesbury Vale Local Police Area |  
External telephone 101, extn 711-6201 | Internal telephone 711-6201 | Address  
Aylesbury Police Station, Wendover Road, Aylesbury, HP21 7LA | Twitter @Olly  
JDW



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