

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Report to: Cabinet

Date: 15/09/2025

Subject: Introduction of a new public space protection order to tackle crime and anti-social behaviour

Report of Councillor Harvey, Cabinet Member for Social Inclusion and Community Safety

Report author: Neil Thurlow, AD Community Safety Resilience and CCTV

Responsible Director: Bram Kainth, Executive Director of Place

SUMMARY

Residents state that crime and anti-social behaviour (ASB) are their biggest concerns, and this is reflected in the significant investment of £7m, annually, that the Council has made supporting community safety.

The Council boasts the largest Law Enforcement Team in the country, has established the innovative and unique Gangs Violence and Exploitation Unit, and is upgrading and enhancing the borough's CCTV provision, already featuring the highest number of CCTV cameras per head of population. In addition, the Council is investing in initiatives to tackle Violence Against Women and Girls, as well as modern slavery.

These investments have enabled the Council to lead initiatives such as delivering the first location specific public space closure order, using CCTV footage to provide unequivocal evidence in criminal trials, and achieving a 30% reduction in anti-social behaviour during the Law Enforcement Team's first full year of operation.

We now aim to build further on these investments and achievements. As patterns and trends in crime and anti-social behaviour (ASB) evolve, so too must our approach to addressing them. As such we are launching our new Crime Fighting Strategy with a range of new tools and powers.

This report outlines details of a new PSPO. This order is currently under consultation and seeks to prohibit the following activities:

- Professional beggars, and aggressive and/or persistent begging
- Congregating or gathering in groups (of two or more) when engaging in anti-social behaviour
- Wearing face coverings to conceal identity (with exemptions)

The consultation period runs between September and late October 2025, with the new PSPO potentially implemented during November 2025 subject to consultation findings.

To support this initiative a new communication campaign is recommended to encourage reporting of crime and ASB.

RECOMMENDATIONS

1. To acknowledge the consultation that is taking place on the new PSPO with the following measures to tackle ASB: -
 - Professional beggars, and aggressive and/or persistent begging
 - Congregating or gathering in groups (of two or more) engaged in anti-social behaviour
 - Wearing face coverings to conceal identity (with exemptions)
2. To approve a communication campaign to increase residents trust and confidence in reporting crimes and anti-social behaviour.

Wards Affected: All

Our Values	Summary of how this report aligns to the H&F Values
Building shared prosperity	The paper set out plans which aim to reduce crime and anti-social behaviour which will improve the quality of life of all residents and visitors to the borough.
Creating a compassionate council	The recommendations aim to reduce the number of victims of crime and anti-social behaviour in the borough and ensure that victims see action taken against those who have committed offences in the borough. Enforcement will be consistent and fair whilst addressing the issues that are having a significant impact on our residents. All officers involved in enforcement will have a clear understanding of safeguarding and support available to all victims and perpetrators of crime and anti-social behaviour.
Doing things with local residents, not to them	Residents have told us that tackling crime and anti-social behaviour is of high importance to them, the proposed actions demonstrate our commitment to tackling these concerns. A public consultation will take place in relation to the PSPO, and any measures introduced will only be done if there is resident support.

Being ruthlessly financially efficient	The Police and the councils Law Enforcement Team have the ability and delegated authority to enforce PSPO's. This provides opportunities to stop offences which would cost the council money to address. The proposed PSPO could bring in financial income from the fixed penalty notices (FPN's) served to those that are in breach of the Order which will contribute towards the costs of enforcement action.
Taking pride in H&F	We know that crime and anti-social behaviour impacts negatively on perceptions of an area so, by addressing the crime and anti-social behaviour in a consistent and visible manner we will be able to deliver a safer borough for all.
Rising to the challenge of the climate and ecological emergency	All of our work and investment delivered via the crime fighting strategy will seek to minimise the climate and ecological impact by purchasing low energy and/or clean energy technological solutions

Financial Impact

The one-off costs of introducing these measures in 2025/26 are estimated at £45,000 (including communications campaigns and all required legal work). These costs will be funded as far as possible from the existing approved service budgets for 2025/26 and any residual pressures (not expected to be more than £30,000 will be funded from corporate resources including policy contingency and or suitable developer contributions).

Any on-going expenditure will be considered as part of the Council's future budget plans and will reported as necessary as part of the regular financial reports.

Kellie Gooch, Head of Finance (Place), 08 September 2025

Verified by Sukvinder Kalsi, Executive Director of Finance and Corporate Services, 08 September 2025

Legal Implications

Public Space Protection Orders (PSPO)

The Anti-Social Behaviour, Crime and Policing Act 2014 (the 2014 Act), enables the Council to make a PSPO where activities that are taking place in the Borough are having a "detrimental effect on the quality of life". A PSPO applies to everyone present in the Borough at any time and can either prohibit activities or require them to be carried out in a certain way. Once a PSPO is made, if the activities are still carried out, a criminal offence is committed punishable by a maximum fine of £ 1,000. In practice most breaches are dealt with by serving a Fixed Penalty Notice (FPN).

PSPOs are designed to deal with lower-level anti-social behaviour that does not generally constitute a criminal offence in its own right- for example playing amplified

music in the street. A PSPO therefore complements the powers available to the Police to deal with criminal behaviour. Breach of a PSPO is punishable by a maximum fine of £1,000.

Section 72 of the Act requires the Council to undertake a consultation with the police and community prior to making or varying a PSPO. The courts have ruled that the key to making a PSPO is for there to be evidence that activities are having a detrimental effect on the quality of life and that the restrictions contained in the PSPO are a proportionate means of dealing with the problem. The consultation should explain why the Council proposes to maintain the current restrictions and seek views on whether the activities in question are still affecting the quality of life.

In relation to imposing potential new restrictions (such as prohibiting the wearing of a face covering), the Council should explain why it considers such a restriction to be a proportionate response to deal with and deter the activities that are affecting the quality of life and to seek the views of the police and community on the extent of the problem and whether a PSPO would be a proportionate response.

The legislation also requires the Council to have regard to rights under the European Convention on Human Rights, particularly relating to freedom of assembly and expression including activities associated with religious expression. Again, restrictions on the right of assembly and the practising of religion must be proportionate.

An initial Equalities Impact Assessment (EIA) has been compiled and this will be regularly monitored, reviewed and assessed following the completion of the consultation as we take into account the responses received.

Further legal advice in relation to the proposed PSPO will be provided at the conclusion of the consultation.

Completed by Glen Egan Assistant Director of Legal Services 28 August 2025

Background Papers Used in Preparing This Report

None

DETAILED ANALYSIS

PUBLIC SPACE PROTECTION ORDERS

1. Public Spaces Protection Orders (PSPOs) are a tool that can be used by Local Authorities to address Anti-Social Behaviour (ASB) and the impact that this behaviour can have on individuals and communities (under the Anti-Social Behaviour, Crime and Policing Act 2014). The Order identifies a public place (restricted area) and prohibits specified things being done in the restricted area; requires specified things to be done by persons carrying on specified activities in that area; or does both of those things.

2. The PSPO gives authorised Council and Police officers powers to issue a Fixed Penalty Notice (FPN) of £100 (Reduced to £60 if paid within 10 days) to those who engage in an activity that is prohibited by the Order.

Current PSPO's in the borough

3. There are five PSPO's active in the borough. Three of the orders apply across the whole borough, with prohibitions covering street harassment, responsible dog ownership and responsible alcohol consumption. There are two area specific PSPO's prohibiting the use of amplifiers in Shepherd's Bush, White City and Hammersmith Town Centre, and restrictions on the use of E-vehicles along the Thames Path.
4. Currently the PSPO's can be enforced by a Police Constable, Police Community Support Officer, the Council's Law Enforcement Officers or other authorised person may issue a fixed penalty notice (FPN) of up to £100 to those who fail to comply with the Order.

Crime fighting PSPO consultation

5. This crime fighting strategy seeks to further address the anti-social behaviour which affects the community. As such we have launched a consultation with residents on introducing new measures within a PSPO.
6. The proposed new restrictions are as follows -

1) Professional beggars, and aggressive and/or persistent begging

a) Professional

- Beggars that arrive in groups, or who are present individually, are often professional beggars and beg as a source of income as opposed to genuine poverty.
- Evidence of professional begging includes groups of beggars arriving and departing at the same time, refusing offers of support, suggestions that they are unable to speak and/or understand English, and those engaged in criminality may present their name and address details on a piece of paper when asked for information by enforcement officers.
- Groups of beggars may indicate that individuals or groups are being exploited and forced or coerced into begging for profit. This practise is often linked to organised crime and can involve human trafficking.

b) Aggressive and/or persistent begging

- Begging with an intent to intimidate which may include repeated requests
- Pressuring any person by approaching or following them and or continuing to ask, beg, for money, food or other items.
- Begging with the use of false or misleading information to persuade members of the public to give money, food or other items.

2) Congregating or gathering in groups of two or more for the purposes of engaging in anti-social behaviour

- Congregating or gathering in groups of two or more if you are causing, or reasonably perceived to be causing, intimidation, harassment, alarm or distress
- Remaining in the specified vicinity or returning within 24 hours, when asked to disperse by an authorised officer because you have been congregating in a group of two or more people, where one or more person/s have been engaging in anti-social behaviour and at least one member of that group is within the designated area.

3) Wearing a face covering in an attempt to conceal their identity

- A person is prohibited from wearing face coverings in an attempt to conceal their identity to cause harassment, alarm or distress to any person. This would include scarves, balaclavas, masks or other such clothing or items to cover the head and face.
- This would include wearing a motorcycle helmet when not riding a motorbike or within the vicinity of a motorbike and when it is done to conceal the person's identity.
- This prohibition would not be enforced against any person who for religion, faith, or cultural beliefs wears a face covering or medical grade face mask for a health condition. This prohibition would not apply when it is a requirement by law to wear a face covering, for example in the covid -19 pandemic.

7. PSPO's covering restrictions related to begging are common across London Borough's including Barking and Dagenham, Brent, Ealing, Greenwich, Harrow and Hillingdon.
8. PSPO's in relation to congregating groups are enforced in London Boroughs of Waltham Forest, Kensington & Chelsea and Tower Hamlets.
9. There are no PSPO's regarding restrictions on face coverings in London as such we will be the first borough in the capital seeking to introduce such powers. It is to be noted that the local authorities in the areas of Spelthorne, Epsom and Ewell, and Nuneaton and Bedworth Council have introduced these restrictions.
10. Whilst the LET will have the delegated authority to enforce these new prohibitions, as they enforce the existing PSPOs, these new restrictions are likely to require greater police support.

Consultation and accompanying communication strategy

11. A public consultation was launched on Friday 12 September on the proposed prohibitions. A public consultation is necessary if a PSPO is to be introduced, extended or varied. Before a PSPO can be introduced the police should be consulted, as well as owners or occupiers of the land within the affected area, and community representatives.
12. The purpose of the consultation is to gather views on the proposed geographical area that the restrictions will apply and prohibitions. The

consultation is being run via an online survey, as well as through engagement with local businesses and residents.

13. The consultation is being run for six weeks to give sufficient time to engage with a wide range of residents and complete focus groups with those that do not typically engage with council consultations.
14. The equality impact assessment identifies the need for consideration that certain groups may be disproportionately impacted by the new restrictions. It is essential therefore that we engage with these groups as much as possible as part of the consultation.
15. These groups are unlikely to engage with the council's social media or newsletter, so we will work with the H&F Youth Council, youth clubs, and targeted groups that are engaged with the Gangs Violence and Exploitation Unit, to ensure a wide range of views are gathered as part of the consultation phase. We will also work with the Faith Forum, and various Voluntary and Community Sector Partners.
16. If there is suitable support, then the proposed PSPO could launch in November. This is the earliest possible date, but any judicial reviews or challenges will result in delays. If significant changes are needed to the proposed PSPO following the consultation further engagement with residents will be needed.

Timeline for PSPO

17. The table below provides an overview of the stages in the process to implement the PSPO and an approximate amount of time needed.

Action	Timeline
Consultation Live	12 September – 24 October (6 weeks)
Results of consultation and recommendation	October
Finalised report taken to CMB for approval	November
New PSPO live (depending on outcome of consultation)	November

COMMUNICATION CAMPAIGNS

18. We want to ensure residents can report crimes and ASB easily and have the confidence to do so. For this reason, we are proposing to run the following campaigns: -
 - a. **Crimestoppers/Fearless campaign** – Some residents may be unwilling or feel unsafe reporting incidents to the Police and/or H&F. We propose a dedicated communications campaign with Crimestoppers (or Fearless, for a youth-focused initiative). The campaign aims to build trust and confidence, encouraging greater intelligence sharing and reporting by guaranteeing confidentiality and explaining clearly how the Police review and act on this information. This would result in more intelligence for the Police to act upon.

- b. **Communication campaign** – we know that residents are not reporting incidents to the Police, or indeed specific council teams, as they should. We need to educate residents to understand the importance of reporting incidents at the time, and via the correct routes, to maximise enforcement opportunities and ensure that victims are supported.

The MET police have launched a new community crime fighting initiative MET Engage. The platform allows residents to get to know their local officers, help shape policing in the local area, and have direct access to key information and advice. It includes a free messaging service to keep residents updated on what is happening in their area, receiving alerts about local crime, incidents, appeals and warning about scams and frauds. Since its launch Hammersmith & Fulham have one of the highest numbers of residents signed up across London.

- 19. By launching a joint campaign between the council and police we can further encourage reporting of crimes to the police through promoting MET Engage and engagement with other enforcement teams including the LET. The proposed campaign with Crimestoppers would support this.
- 20. We have explored all the powers available to local authorities within the ASB Crime and Policing Act 2014 to ensure that we are using all enforcement powers available to greatest extent. As the government continues to refine the new Crime and Policing Bill, we will provide feedback and lobby for change that would give local authorities further powers to tackle crime and ASB.

Reasons for Decision

- 21. Cabinet approve the crime fighting strategy noting the consultation of the new PSPO and its related prohibitions alongside the continued use of powers which will better protect and safeguard victims of crime and take more stringent, wide-ranging enforcement against those who choose to commit crime and ASB in the borough.

Equality Implications

- 22. An EIA has been undertaken and will be revised following the conclusion of the consultation process and final decisions on the PSPO prohibitions.
- 23. The process and purpose of undertaking an EIA is to ensure that all impacts of a decision that is made identifies and considers a range of possible impacts whether positive, neutral or potentially negative. The work of the EIA, the Council and partners will ensure that we minimise any impacts which may have the opportunity to occur.

Approved by Yvonne Okiyo, Strategic Lead Equity, Diversity and Inclusion 22nd August 2025

Risk Management Implications

24. The report recommends noting the consultation process which is currently underway to implement a new PSPO to tackle certain types of anti-social behaviour.
25. The proposed PSPO is aimed at reducing the number of victims of crime and anti-social behaviour in the borough and ensure that victims see action taken against those who have committed offences in the borough. This is in line with the objective of creating a compassionate council.
26. It is noted that the draft PSPO is currently subject to consultation, which may result in changes to the Order before it is finalised. Once the PSPO consultation has been concluded, officers will undertake a full risk assessment to ensure proper implementation of the Order and that appropriate enforcement action is taken, which will mitigate the potential for any legal challenge of sanctions issued. Mitigations will include training for and communication with relevant staff on the new requirements, along with management oversight and monitoring of the application of the PSPO, to ensure that enforcement actions are fair, proportionate and in line with the approved Order.

Verified by David Hughes, Director of Audit, Fraud, Risk and Insurance, 10 September 2025