

**Report to:** Councillor Rebecca Harvey – Cabinet Member for Social Inclusion and Community Safety

**Date:** 5 February 2026

**Subject:** Decision to introduce a Public Spaces Protection Order (PSPO) prohibiting the following: aggressive and/or persistent begging, professional begging, congregating groups of 2 or more causing ASB and the wearing of a face covering to conceal someone's identity

**Report author:** Laura Seamons, Service Transformation Lead

**Responsible Director:** Bram Kainth, Executive Director of Place

---

## **SUMMARY**

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).
2. An Order can be introduced in a public area where the local authority is satisfied - on reasonable grounds - that the effect, or likely effect, of such activities is, or is likely to be, of a persistent and continuing nature; is, or is likely to be, such as to make the activities unreasonable; and justifies the restrictions imposed by the Order. 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.
3. This report recommends that a PSPO is introduced across the borough, to reduce incidents of ASB that cause harassment, alarm and distress to people who live, work, or visit Hammersmith & Fulham. It is proposed that this Order remains in force for a period of three years.

## **RECOMMENDATIONS**

4. That the Cabinet Member for Social Inclusion and Community Safety:
    - Approves the introduction of a new ASB PSPO across the borough.
    - Delegates authority to sign the PSPO to the Assistant Director of Community Safety, Resilience and CCTV.
- 

**Wards Affected:** All

---

| Our Values  | Summary of how this report aligns to the H&F Values   |
|---|---|
| Building shared prosperity                                      | PSPOs reduce anti-social behaviour and contribute to the council's commitment to tackling anti-social behaviour which will improve the quality of life of all residents and visitors to the borough.  |
| Creating a compassionate council                                | <p>The PSPO enforcement plan will align with the Metropolitan Police 4 'E' model – Engage, Explain, Encourage and Enforce to address ASB, and will prioritise safeguarding and support.</p> <p>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.</p> |
| Doing things with 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 took place which demonstrated support for the introduction of the PSPO.   |
| Being ruthlessly financially efficient                          | <p>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.</p> <p>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.</p>  |
| 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 | PSPOs can work directly to improve the climate and ecological surroundings. Enforcing this PSPO will help make our public spaces safer and enjoyable for all residents and visitors.  |

## Financial Impact

5. The cost of introducing the PSPO is expected to be minimal and will be limited to the cost of signage and other promotional material. It is expected that this can be fully funded from

existing service budgets. The PSPO will be enforced by the council's Law Enforcement Officers as part of their regular duties, therefore requiring no additional resource. The income from any Fixed Penalty Notices issued will contribute towards the cost of the enforcement activities.

*Kellie Gooch, Head of Finance (Place), 24 November 2025*

*Verified by James Newman, Assistant Director of Finance (Deputy S.151 Officer),*

*24 November 2025*

## **Legal Implications**

6. A PSPO may be made under section 59 of the Anti-Social Behaviour, Crime & Policing Act 2014 where the Council is satisfied on reasonable grounds that activities are being carried out in a public place or are likely to be carried out and that the activities are: having or are like to have a detrimental effect on the quality of life; that the effect of the activities is of a persistent or continuing nature such as to make the activities unreasonable which justifies them being restricted by the PSPO.
7. Prior to making a PSPO the Council is required to carry out a consultation pursuant to section 72 of the Act. The report explains the consultation that has taken place, including targeted consultation events. It is confirmed that the consultation has complied with the section 72. The Metropolitan Police, in their consultation response, have suggested that the provision relating to face coverings is amended to better align with their own powers. Also, they propose that a person wearing a face covering in an attempt to conceal their identify is to be given the opportunity to remove the face covering before being served with a FPN. Amending the PSPO in this way will make the PSPO more proportionate and reduce the risk of unintentional non compliance.
8. In deciding whether to make the PSPO, the Council needs to be satisfied from the consultation responses and from information held by the Council that the additional activities to be prohibited ( aggressive and persistent begging, congregating groups causing ASB and the wearing of a face covering to conceal identity to cause harassment, alarm or distress) are having a detrimental effect on the quality of life so as to justify restricting these activities.
9. The Council must also be satisfied that the benefits of a PSPO make it proportionate to restrict the activities, having regard to the EIA. The EIA identifies a number of possible adverse impacts listed in paragraphs 64-70 of the report, particularly in relation to the wearing of face coverings.
10. The EIA also lists the safeguards that the Council will introduce to reduce the risk of subjective enforcement or of particular groups being disproportionately impacted through enforcement officers undergoing extensive annual training including on unconscious bias. Further, adopting the "explain, engage, encourage, enforce" model will ensure that all decisions made to serve a FPN for breach of the PSPO are both justified and proportionate. proportionate and justified. In addition, any recommendation to prosecute for non compliance will be assessed in accordance with the Code for Crown Prosecutors issued under section 10 of the Prosecution

of Offences Act 1985 to ensure that any decision to prosecute is supported by clear evidence of criminality as well as being in the public interest.

11. Section 72 also requires the Council to have regard to the rights of freedom of expression and free assembly under human rights legislation. The PSPO does not target people who are exercising these rights but does target those who engage in ASB. It is confirmed that if the PSPO is approved, it does not conflict with human rights legislation.

*Implications verified/completed by: Glen Egan, Assistant Director of Legal Services 2 February 2026*

## **Proposal**

12. The Hammersmith & Fulham Crime Fighting Strategy was presented to cabinet in September 2025. Part of the strategy includes a proposal to introduce a PSPO designed to tackle ASB in the borough. The PSPO would cover the following restrictions:-

### **Prohibition: Professional beggars, and aggressive and/or persistent begging**

#### **a) Professional**

- Beggars that arrive in groups 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.

### **Prohibition: 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.

**Prohibition: Wearing a face covering in an attempt to conceal their identity**

- When asked individuals must remove any face coverings where it is reasonable believed it is being worn wholly or mainly for the purpose of concealing their identity to cause harassment, alarm or distress. This would include but is not limited to 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.

13. Before introducing a PSPO, the council must consult with the police and with any partners and stakeholders that they think appropriate. In addition, the owner or occupiers of any land affected should be consulted.

14. It should be noted that the wording for the prohibition for face covering has changed from that proposed in the draft order published as part of the consultation. This is so that it is in line with the powers that the police have under Section 60AA of the Criminal Order and Public Order Act 1994. This change was made because of feedback from the police and from residents. The wording used in the consultation was as follows –

*'A person is prohibited from wearing a 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.'*

15. A draft version of the PSPO is shown in **Appendix 1**.

16. The maximum duration of a PSPO is three years, but they can be made for shorter periods and then reviewed. It is proposed that this order is introduced for three years due to the financial impact and impact on officer time of renewing after a shorter period. At any point before the expiry of a PSPO it can be extended for a further period of up to three years. The terms can also be varied, subject to further consultation.

**Consultation**

17. A public consultation ran for six weeks between 12 September and 24 October 2025, receiving a total of 644 responses. This was hosted on the online Have Your Say portal that is used for all Hammersmith & Fulham surveys.

18. The survey has been shared with the following groups: -

- Street Population Project,
- Alcohol and Substance Misuse Support services,
- The Hammersmith and Fulham Faith Forum,
- Pub watch,
- Internal staff forums,
- Neighbourhood Ward Panel chairs,
- Business Improvement Districts,
- Via paid advertisement on Next Door
- Through our council social media channels, and
- At pop up stalls in the borough.

19. An overview of the consultation responses can be found in **Appendix 2**.

20. The vast majority of respondents expressed support for the PSPO prohibitions. The percentage in support of each prohibition were as follows (respondents were given options of agree, disagree or don't know):

- Professional begging – **87.5% agreed** with the introduction
- Aggressive and/or persistent begging – **87.8% agreed** with the introduction
- Congregating in groups of 2 or more and causing ASB – **83.3% agreed** with the introduction
- Congregating in groups of 2 or more and causing ASB – no person should remain in the specified area or return for a period of 24 hours – **85.3% agreed** with the introduction
- Wearing a face covering in an attempt to conceal someone's identity – **87.2% agreed** with the introduction

21. The consultation asked respondents to comment on how the behaviours impact them, an overview of the themes from those responses is below. A more substantial breakdown of comments can be found in **Appendix 2**.

22. ***In support of introducing the restrictions***

- *Groups regularly congregating and causing ASB making people fearful in their neighbourhood*
- *Reports of increased number of people begging, and the level of aggression has increased including following people home, physical altercations, invading someone's personal space*
- *People find face coverings intimidating and scary*
- *Reports of high amount of crime and ASB taking place where perpetrators are wearing face coverings, particularly on e-bikes*

***Themes were respondents identified some concerns***

- *Concerns that the issues with begging would be better tackled with additional support services*
- *A small number of respondents did not think the behaviours listed were a problem in Hammersmith & Fulham*
- *Felt that the cause of the issues should be tackled rather than fining individuals*

23. In addition to the consultation a bespoke, tailored survey was created specifically for young people, which received a total of 23 responses. The survey was completed at in person events held with young people. Overall young people showed less support for the introduction of the restrictions but the sample size was much smaller.

- Professional begging – **30% agreed** with the introduction
- Aggressive and/or persistent begging – **75% agreed** with the introduction
- Congregating in groups of 2 or more and causing ASB – **55% agreed** with the introduction
- Wearing a face covering in an attempt to conceal someone's identity – **45% agreed** with the introduction

24. The low level of support was due to the difficulties they felt there would be with enforcement of the restrictions as behaviours are difficult to define and take action against, for example there is nothing to stop people running away. They did however agree that these issues were a problem in Hammersmith and Fulham that needed tackling.

25. Young people also raised concerns about fining people for begging and asked for reassurances regarding support services being in place. Concerns were also raised around racial profiling of congregating groups. It was also discussed that some balaclavas might be worn as a fashion choice.

26. It is important to note however that there is no statutory requirement to consult under 18s as part of the PSPO process and a PSPO cannot be enforced against anyone under 18.

27. Following discussion with the police it has been proposed that the wording of the draft PSPO be varied so that it is in line with the police powers available within section 60AA of the Criminal Justice and Public Order Act 1994, which gives police officers the power to require someone to remove items of clothing or face covering if the officer reasonably believes they are being worn to conceal someone's identity.

28. With the proposed new wording individuals will be given the opportunity to remove a face covering when requested by officers, if they fail to do so they will be fined. This amendment also alleviates

the concerns raised by the Youth Council that some individuals may be wearing the face coverings for legitimate reasons.

29. Beyond the amendment above, the police support the introduction of the order but have expressed concerns about enforcement, which are discussed below.

### **Evidence for the PSPO**

30. Before a PSPO can be introduced the council must be satisfied, on reasonable grounds, that the activity is having, or is likely to have, a detrimental effect on the quality of life of those in the locality. To support this satisfaction criteria data is collected on the number of incidents reported.
31. The table below shows the number of occasions that people have been dispersed by the LET because of begging. As shown in the table the number of incidents has increased since 2022. The anti-social behaviour unit has received 13 further reports regarding anti-social behaviour as a result of begging in the borough.

*Table 1 Number of incidents where the LET has dispersed people because of begging in the borough.*

| <b>Calendar year</b>                   | <b>Number of begging dispersals (LET)</b> |
|--|---|
| 2022/2023                              | 155                                       |
| 2023/2023                              | 256                                       |
| 2024/2025                              | 267                                       |
| 2025/2026 (01 April – 30 October data) | 138                                       |

32. Since 2022 the LET have received the following service requests for these matters:

- 261 service requests in respect to Loitering
- 74 in relation to intimidation and 135 for gatherings
- 33 reports of loitering were made to the anti-social behaviour unit
- 13 incidents reported to the LET involving ski masks or Balaclava's
- An additional 5 reports involving ski masks or Balaclavas have been received by the anti-social behaviour team.

33. As part of the consultation residents were asked whether they felt the behaviours included in the prohibitions were a problem in public spaces in Hammersmith & Fulham. The results showed that respondents felt all behaviours are a problem, a full breakdown of the consultation results can be found in **Appendix 2**.

- Professional begging – 67% strongly agree or agree
- Aggressive and/or persistent begging - 67% strongly agree or agree
- Congregating in groups of 2 or more and causing ASB -80% strongly agree or agree
- Wearing a face covering in an attempt to conceal someone's identity – 82% strongly agree of agree



34. Participants were also asked how often in 12 months they experience these problems. For all restrictions nearly half of participants experienced these behaviours either daily or weekly.

- Aggressive and/or persistent begging - Daily or weekly – 43%, Never – 17%
- Professional begging - daily or weekly – 47%, Never – 17%
- Congregating in groups of two or more and causing ASB –daily or weekly 52%, Never – 15%
- Wearing of a face covering (e.g balaclava) –daily or weekly 47% Never – 20%

### **Considerations of alternatives to a PSPO**

35. When assessing if a PSPO should be introduced it is important to assess if alternative measures or legislation could be used.

36. The Vagrancy Act 1824 will be repealed as part of the Crime and Policing Bill currently before UK Parliament. The Vagrancy Act has been used by police forces to fine or imprison people that are begging or rough sleeping. With the Vagrancy Act being repealed, the new Crime and Policing Bill will create a new offence of facilitating begging for gain and an offence of trespassing with the intention of committing a crime. Making it an offence to facilitate begging could be used to act against those orchestrating professional beggars in the borough, however it is very difficult for these individuals to be identified. The PSPO would create an additional option for the police and council to act against professional begging by identifying those suspected of being involved in professional begging. Finding further intelligence through their name and address could allow for criminal proceedings to take place against these orchestrating the operation.

37. The Crime and Policing Bill will also include the introduction of Respect Orders, which could be used against aggressive/persistent beggars and groups causing ASB, the order would ban individuals from certain town centres or require them to engage with support services. Both Police and local authorities will be able to apply for the orders and a court will issue them. Respect Orders will be trialled in certain locations before being introduced nationwide so is unlikely to be in effect in Hammersmith & Fulham for some time. Respect Orders will also be unable to be used across the borough and will be restricted to town centres.

38. The police have powers in relation to groups involved in crime and ASB though section 35 of the ASB Crime and Policing Act 2014 which allows officers to disperse an individual from an area for up to 48 hours. These powers are not available to the Councils. The PSPO would prohibit a group causing ASB returning for up to 24 hours and would make the power available to authorised council officers as well as the police.

39. The Police can ask someone to remove any item of clothing worn to conceal their identity, such as face covering through Section 60 AA of the Criminal Justice and Public Order Act 1994. However, a Section 60 has to be authorised by a police inspector and is used in a specific area for a limited amount of time where crime and disorder is suspected. The introduction of the PSPO would mean that individuals can be requested to remove their face covering at any time and any location in the borough if it is felt they are wearing it to conceal their identity by an authorised officer which would include the LET as well as the police.

### **Enforcement**

40. If introduced, the council's Law Enforcement Officers or other authorised enforcement partners such as a Police Constable or Police Community Support Officer, may issue a fixed penalty notice (FPN) of up to £100 to those who fail to comply with the Order.
41. An educational campaign will run for four weeks following the launch of the PSPO, after which any offences will be enforced with immediate effect. Individuals will have 14 days to pay the fixed penalty of £100 (reduced to £60 if paid within 10 days).
42. An enforcement protocol will be developed for the council's Law Enforcement Officers which will follow the MPS '4Es Enforcement Approach' – Engage, Explain, Encourage and Enforce, which is applied across all current PSPOs. The Law Enforcement Team will receive training on the PSPO to ensure they are confident in responding to an incident in relation to the three different prohibitions, the exemptions that apply, and make appropriate decisions in the issue of safeguarding concerns. This training will be ongoing and reiterated in daily briefings with officers. Outside of this, officers regularly receive conflict management training, and use their Body Warn Videos to assist with incidents.
43. There are some matters to consider in regard to enforcing this PSPO:-
- The PSPO cannot be enforced against anyone under the age of 18.
  - The Law Enforcement Team do not have powers to detain any individuals and not all officers have powers to demand name and address (officers do gain these via CSAS powers and vetting but this is not an immediate power given to officers when they start in post). In instances where individuals refuse to comply or exhibit aggression, police support will be needed, which will require sufficient police officers to be available to support. The Police have expressed concerns about having the resources to be able to do this.
  - Proving that a group is causing ASB, or that an individual has returned to a designated area within 24 hours of dispersal, requires clear, often real-time evidence. This places a significant burden on LET officers, who must balance proactive engagement with the need to document incidents thoroughly.
  - Challenges in enforcement distinguishing between legitimate and illegitimate use of face coverings. Individuals may wear face coverings for various reasons, including protection from cold weather, religious beliefs, medical conditions, or fashion. LET officers tasked with enforcing PSPOs must tread carefully to avoid discrimination and profiling.
  - The burden of proof for "intimidation, harassment, alarm and distress" is inherently subjective, which can further complicate enforcement efforts.

## Options and analysis of options

The following options have been considered:

44. **RECOMMENDED Option 1-** To introduce the anti-social behaviour PSPO, including the restrictions on the following, professional begging, aggressive and/or persistent begging, congregating in groups of 2 or more and causing ASB ,and wearing a face covering to

**conceal someone's identity and cause ASB. This includes the amendment that has been made to the wording of the face covering prohibition - *This is the recommended option.***

45. The consultation shows that a large proportion of residents are in support of the introduction of the measures and that the proposed prohibitions are having a significant impact on a frequent basis.
46. The data and consultation responses also demonstrates that the restrictions are having a large impact on the ability of people to enjoy public spaces in Hammersmith & Fulham.
47. As discussed above there are some concerns that enforcement may be challenging due to the subjective nature of what constitutes harassment alarm and distress, and the need for police support to enforce the restrictions. It is felt that these restrictions can be overcome through substantial training for enforcement officers and partnership working with the police.
48. The amendment that has been made to the prohibition around face covering makes it more manageable for enforcement officers and removes concerns around legitimate use of face coverings.
49. ***Option 2 – the proposed measures are introduced but only in the evening or in certain locations. This is not the recommended option.***
50. The consultation responses showed that the behaviours make people particularly fearful in the evenings, when it is dark. Certain areas of the borough were also frequently referred to where these behaviours are a particular concern so the restrictions could be area and time specific.
51. However, this is not the recommended option as it would make enforcement more difficult due to seasonal changes. Area specific locations is not recommended as it is likely to push the ASB to other areas in the borough. As shown in **Appendix 2**, there is a good spread of responses to the consultation from across the borough.
52. ***Option 3 – to only introduce restrictions in relation to face coverings and congregating groups – This is not the recommended option.***
53. Concerns were raised in the consultation regarding whether issuing fines was the most suitable way to tackle the issue with begging in the borough, with concerns over whether there were enough support services in the borough. Respondents felt that aggressive and/or professional begging were less of an issue in public spaces (68%) than congregating groups and face coverings (80%). However this is not recommended option as 68% is still a high proportion that think it is an issue and over 80% of all respondents thought that all the prohibitions should be introduced.
54. For this reason, this is not the recommendation and instead the enforcement plan will ensure that officers are aware of the support services available to those begging and ensure that the offer of support is given before enforcement action is taken.
55. The restrictions will only apply when there is evidence that is aggressive and/or persistent begging or that it is professional in nature.

56. **Option 4 – Do nothing – do not introduce the measures proposed.** This not the recommend option.
57. As discussed above alternative legislation could be used to tackle these behaviours however many of these are within the crime and policing bill which has not passed through parliament. The feedback from the consultation shows that something needs to be done now to tackle these behaviours. For this reason this is not the recommend option.
58. An Equality Impact Assessment can be found in **Appendix 3.**
59. More detailed analysis of the consultation findings can be found in **Appendix 2.**
60. Easy read version of the order can be found in **Appendix 4.**

### **Reasons for decision**

61. As illustrated below it was a small minority of respondents who voted that disagreed or didn't know whether the restrictions should be introduced –
- Professional begging – 6.3% disagreed
  - Aggressive and/or persistent begging – 6.3% disagreed
  - Congregating in groups of 2 or more and causing ASB – 10.1% disagreed
  - Congregating in groups of 2 or more and causing ASB – no person should remain in the specified area or return for a period of 24 hours – 8.6% disagreed
  - Wearing a face covering in an attempt to conceal someone's identity – 8.0% disagreed
62. The council is proposing that the PSPO is introduced, following the results of a public consultation, legal advice and wider research exercises conducted.
63. If the PSPO is introduced, comprehensive training for all staff responsible for issuing warnings and fines would be administered, in line with a clear enforcement policy.

### **Equality Implications**

64. Disproportionate Impact on Black Youth: These measures could risk disproportionately targeting Black boys and young Black men, who are often over-policed and stereotyped as threatening or suspicious in public spaces. We will ensure that the PSPO will be applied uniformly to all residents and visitors and enforcement will be behaviour based, wording and officer training will make clear that racial appearance, cultural practice, language or ethnic background should not be used as an indicator of risk.
65. Subjectivity of Enforcement: the order includes the term “reasonably perceived to be causing intimidation, harassment, alarm or distress”. This could be subjective and open to bias, increasing the risk of discriminatory enforcement. Officers will receive ongoing training on what is considered harassment, alarm and distress and body worn camera footage will be used to support any FPN's issued. Currently we do not record information on the protected characteristics of those issued an FPN, this should be considered so that we can monitor for disproportionality. Whilst further consultation would be needed if the PSPO were to be renewed in three years, community groups should be asked regularly about the impact that it is having, for example is there an increase in

the usage of public spaces, are people less fearful. This could be done through ongoing engagement with community groups that engaged with the consultation

66. The presence of officers following an “explain, engage, encourage, enforce” model may provide reassurance to communities who have historically experienced targeted hostility.
67. Cultural Expression and Safety: Face coverings may be worn for cultural, religious, or safety reasons (e.g., COVID-19). While exemptions are noted, enforcement may still lead to profiling or harassment. All of our Law Enforcement Officers complete mandatory unconscious bias training when they started, all officers will also complete a mandatory refresher course before the PSPO is introduced. To respond to feedback a change has been made to the wording of the order so an individual will be given the opportunity to remove a face covering before any enforcement action is taken, and will only be asked to if they are causing anti-social behaviour. This means that if an individual is wearing a face covering for legitimate reasons and they are happy to remove the face covering no action will be taken.
68. Potential for Criminalisation: These powers could criminalise normal youth behaviour (e.g. socialising in groups), especially in deprived or ethnically diverse areas. As stated above the PSPO will be enforced based on behaviours only. The PSPO also cannot be enforced against under 18s ensuring no unintended criminalisation of minors. Young people who are fearful of ASB in public spaces such as parks, estates and public transport routes will be more reassured accessing these spaces.
69. Risk of Institutional Racism: These proposals may reinforce systemic inequalities by embedding discretionary powers that are more likely to be used against racialised communities. Echoes of historic stop-and-search practices and gang matrix usage, both of which have been criticised for racial disproportionality. Enforcement officers will receive training on the new PSPO, including scenarios of what behaviours should be enforced against. The LET officers are trained to respect people's rights to privacy, freedom of religion, and freedom of expression. This training will be repeated annually as a minimum
70. A full EQIA had been completed in Appendix 3.

*Implications verified/completed by: Yvonne Okiyo, Strategic Lead Equity, Diversity and Inclusion, 26<sup>th</sup> January 2026*

## **Risk Management**

71. There are reputational and legal risks that the implementation of the PSPO is not carried out in an even-handed way and that certain groups become targeted or have a perception of being targeted by officers. This also includes groups of people gathering in public spaces including street artists, street performers, street musicians, campaigners, and their audiences as well as local residents, members of the public protesting.
72. This risk must be reduced. It is recommended through publishing the statistics surrounding PSPO usage in the borough and to scrupulously check that legal processes are followed.
73. There is a legal risk that PSPO officers do not implement the PSPO adequately or overreach their powers leading to a legal challenge.

- 74. This risk can be reduced. It is recommended through approved education and subsequent checking reporting on officer behaviours. Negative behaviours should result in further re-education, assessment or as a final resort dismissal.
- 75. There is an operational and people risk that residents and other members of the public are not sufficiently aware of the PSPO or supporting regulations and challenge the officers.
- 76. This risk should be reduced. It is recommended that an education programme should be launched to inform residents and the public; this should include but not be restricted to leafletting, posters, public events and web / paper advertisements.
- 77. There is a legal risk that the implementation and terms of the PSPO are challenged on the basis of the residents survey as not providing sufficient justification for its implementation by civil liberties groups or other activists.
- 78. This risk must be accepted. However it is recommended that a plan is put in place by the legal team should the risk be realised.

*Risks verified by Jules Binney, Risk and Assurance Manager, 14th January 2026*

### **Climate and Ecological Emergency Implications**

- 79. The aim of this PSPO is to ensure all who live, work, or visit the borough feel safe in our public spaces. Based on local evidence, there are areas in the borough where incidents of ASB prevent this, and as such may deter people from enjoying our public spaces, using public transport and walking or cycling on our streets. The enforcement of the PSPO will help to eradicate inappropriate behaviour that can make individuals feel scared or unsafe which will support an increase in people using sustainable modes such as walking, cycling and public transport. This in turn helps to improve our climate and ecological surroundings by reducing the use of private cars and vehicles such as taxis or private hire.

*Implications verified by: Ben Kennedy, Senior Service Manager, Climate & Transport, 11 November 2025*

### **LIST OF APPENDICES:**

**Appendix 1 –Draft Order**  
**Appendix 2 – Consultation Findings**  
**Appendix 3 – Equality Impact Assessment**  
**Appendix 4 - Easy Read version of Draft Order**