

REPORT TITLE: PUBLIC SPACES PROTECTION ORDER RENEWAL 2026

15 JUNE 2026

REPORT OF CABINET MEMBER: Cllr Kathleen Becker Cabinet Member for Healthy Communities.

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WARD(S): ST MICHAELS, ST BARTHOLOMEW, ST BARNABAS, ST LUKE

PURPOSE

Under Section 60 of the Anti-Social Behaviour, Crime and Policing Act 2014, the Council is required to review the Alcohol Consumption Public Spaces Protection Order (PSPO). The current Order expires on 14 September 2026 unless extended.

A PSPO is in force for a period of up to three years and must be reviewed at the end of that period. Where the statutory tests continue to be met, the Order may be extended for a further three years, with no limit on the number of extensions.

This report sets out the relevant legislative context and provides an overview of the current Alcohol Control Zone to inform the decision-making process.

RECOMMENDATIONS:

That the Licensing and Regulation Committee agree:

1. That the Public Spaces Protection Order be extended for a further three years to 14th September 2029; and
2. That the Strategic Director, be authorised to carry out statutory publication and notification requirements for the extended order.

IMPLICATIONS:

1 COUNCIL PLAN OUTCOME

1.1 Greener Faster

1.2 N/A

1.3 Thriving Places

1.4 Ensuring feelings of safety in a public place is a priority for both the city council and the wider community safety partnership. Working collaboratively to ensure that all those who visit, work or live in Winchester enjoy a vibrant and safe environment.

1.5 The Public Spaces Protection Order (PSPO) provides Hampshire & Isle of Wight Constabulary with the power to request an individual surrender their alcohol if their drinking is linked to anti-social behaviour. This power provides a useful tool in addressing alcohol related anti-social behaviour and helps improve the feelings of safety for others within the city centre and surrounding areas.

1.6 Healthy Communities

1.7 The PSPO aims to address alcohol related behaviour that can cause others to feel harassed, alarmed or distressed in public places.

1.8 The PSPO provides police officers and other agencies with an opportunity to engage with individuals who are entrenched in their alcohol use, trying to reduce their intake or manage their dependency by signposting to relevant support services.

1.9 Good Homes for All

1.10 Working in partnership, police officers have been asked to signpost individuals to appropriate support services, including to WCC Housing Options and Trinity Winchester.

1.11 Businesses within the Winchester City Centre have been provided information on how to report individuals sleeping out in the city centre. Supporting the Strategic Housing vision – ‘Working together to ensure that everyone at risk of homelessness has early and effective access to the right support, and where homelessness cannot be prevented, ensuring a safe, suitable, and sustainable home is secured as quickly as possible.’

1.12 Efficient and Effective

1.13 The PSPO provides an effective engagement mechanism for the police and the wider community safety partnership, particularly when working with individuals who may be resistant to discussions about substance dependency or housing needs.

- 1.14 Listening and Learning
- 1.15 The Community Safety Team has undertaken a consultation with partners and stakeholders as part of the review of the PSPO.
- 1.16 Throughout the year the Community Safety Team has engaged with members of the public using a variety of methods including proactive patrol, street briefs, letters drop, feelings of safety surveys and social media campaigns.

2 FINANCIAL IMPLICATIONS

- 2.1 Any requirement to purchase replacement signage will be managed in accordance with the Council's Contract Procedure Rules and the Public Contract Regulations. The cost of replacement signage is expected to be minimal, and any associated work to identify required signage can be delivered within existing staffing capacity and budget allocations.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 Section 59 of Anti-Social Behaviour, Crime and Policing Act 2014 provides the council with the authority to make Public Spaces Protection Orders to address specific behaviours where they can evidence that grounds are met.
- 3.2 Section 60, outlines that a PSPO lasts for up to three years after which time it must be reviewed. Where the grounds continue to be met the PSPO can be extended for a further three years, there is no limit on the number of extensions that can be applied for.
- 3.3 Section 72 sets out the requirement to consult, publicise and notify before the PSPO is extended.
- 3.4 Necessary consultation. The council must consult with chief officer for police; Office of the Police and Crime Commissioner, appropriate community representatives and landowner/occupiers in the PSPO area. Details of the consultation that has been carried out are set out in section 6 of this report.
- 3.5 Necessary publicity. The council must publicise any proposals to extend or discharge a PSPO. Information on the proposed extension has been published on the city council website between 19 May 2026 – 15 June 2026.
- 3.6 Necessary notification. The council must notify the county council of the proposed extension of the PSPO. In accordance with the legislation notification has been sent to Hampshire County Council. In addition, notification has been sent to members of Winchester Community Safety Strategic Group, this group is made up of responsible authorities under Section 5 Crime and Disorder Act 1998 and wider partners.
- 3.7 Section 72 emphasises that when considering whether to make or extend the period for a PSPO a local authority must have particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights. The limited impact of the

restrictions imposed by the PSPO are considered compatible with rights under the Convention as the restrictions are lawful, necessary and proportionate having regard to the evidence and detrimental impact of alcohol related anti-social behaviour on people living, working or visiting the area of the PSPO.

- 3.8 The council's constitution states that Licensing and Regulation Committee will determine applications related to PSPOs.

4 WORKFORCE IMPLICATIONS

- 4.1 Current signage for the PSPO will be reviewed and updated as appropriate within existing resources.

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 None

6 CONSULTATION AND COMMUNICATION

- 6.1 In accordance with Section 72 of Anti-Social Behaviour, Crime and Policing Act 2014 a consultation with statutory and non-statutory partners including Hampshire & Isle of Wight Constabulary, Office of the Police and Crime Commissioner, Hampshire County Council, Housing providers, Trinity Winchester, Winchester Cathedral, Winchester University, Winchester BID and Winchester Street Pastors were undertaken via a survey.
- 6.2 In addition, a survey was sent to Winchester BID Levy members to capture the views of businesses within the city centre.
- 6.3 Notification of the review and proposed extension have been sent to Winchester Community Safety Partnership with information also being posted on the city council website.
- 6.4 Responses to the consultation unanimously support the extension of the PSPO for a further 3years. (Please see Appendix 1).
- 6.5 Consultees have provided statements supporting an extension of the PSPO for a further 3 years, identifying the PSPO as a key tool in addressing alcohol related anti-social behaviour.

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 A Public Spaces Protection Order aims to tackle alcohol related anti-social behaviour and supports the management of detritus being left behind.
- 7.2 Anecdotally there is a correlation between alcohol related anti-social behaviour and alcohol related litter within the same location e.g. cans and glass bottles.

8 PUBLIC SECTOR EQUALITY DUTY

8.1 PSPO powers only come into force when an individual is acting in a manner that is or is likely to cause harassment, alarm and distress within the designated area.

8.2 An Equality Impact Assessment can be found in Appendix 2.

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 None required.

10 RISK MANAGEMENT

10.1

Risk	Mitigation	Opportunities
Financial Exposure	N/A	N/A
Exposure to challenge	Ensure that the council has complied with the legal requirements relating to extending a PSPO including consultation, and publicity as well as having regard to ECHR	N/A
Innovation	N/A	N/A
Reputation - Partnership working. Partners including Hampshire & Isle of Wight Constabulary have expressed that they are keen for the PSPO to be extended maintaining the tools that they have in place to address alcohol related ASB. Failure to extend may impact on the credibility of the partnership.	PSPO extended for a further 3 years.	Education and awareness raising around the PSPO, promoting the PSPO with operational officers.
Achievement of outcome	PSPO extended for a further 3 years.	Publicise and promote the PSPO.
Property	N/A	
Community Support	Partnership working.	Opportunity to signpost to support services.
Timescales	Report being considered and PSPO extended before expiry of the	

	current PSPO. coming to fruition.	
Project capacity	N/A	
Local Government Reorganisation	The extension will impose a legal obligation for Winchester City Council and its successor authority to manage the PSPO for 3 years.	Provides an opportunity to demonstrate best practice across partner agencies.
Other	N/A	

11 SUPPORTING INFORMATION:

- 11.1 The original Alcohol Control Zone was implemented as a Designated Public Place Orders (DPPO), under Crime and Justice Act 2001, which was authorised in 2005 and launched in 2006.
- 11.2 Following the introduction of Anti-Social Behaviour, Crime and Policing Act 2014, DPPO's converted to Public Space Protection Orders (PSPOs), which commenced in October 2018.
- 11.3 Section 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 requires the Council to consult, publicise and notify before a PSPO is extended. A review of the current PSPO has been undertaken if the extension is approved by the committee the PSPO will remain in place for a further 3 years beyond the 14th September 2026.
- 11.4 During the consultation process 16 organisations were consulted, this included Hampshire & Isle of Wight Office Police and Crime Commissioner, Winchester District Police Commander, Hampshire County Council and wider partner organisation. 12 responses were received, and all supported the extension of the PSPO for a further 3 years.
- 11.5 To support the review of the current PSPO, data and supporting statements were collected from Hampshire & Isle of Wight Constabulary, Winchester Business Improvement District (BID) and Winchester City Council Parking team who manage the CCTV. In addition, an in-person interview was conducted with a Winchester BID Ranger.
- 11.6 Data provided by Hampshire & Isle of Wight Constabulary shows that of the 563 incidents logged as anti-social behaviour within the Alcohol Control Zone area between 1st October 2023 and 31st December 2025, 234 incidents were alcohol related. During this reported period there were no Fixed Penalty Notices (FPNs) issued, which along with anecdotal evidence from police officers indicates that current early intervention is effective and members of the public comply with any requests made in relation to the PSPO.

- 11.7 Statements from Hampshire & Isle of Wight Constabulary and Winchester BID fully support the extension of a PSPO stating that it is an important tool in reducing anti-social behaviour, maintaining a safe, welcoming and vibrant environment.
- 11.8 Breach of the order (refusing to give up alcohol when requested by a designated officer) is a criminal offence, which can result in a FPN of £100 or prosecution. If convicted, an individual can be fined up to a maximum of £1,000. Only those aged 18 or over are issued with an FPN.
- 11.9 The PSPO is not a ban on drinking in public, the powers are available when there are complaints of alcohol related anti-social behaviour.
- 11.10 The PSPO provides uniformed police officers with the power to require a person to stop drinking in a public place, and where appropriate, to surrender their alcohol if there is evidence of alcohol related anti-social behaviour.
- 11.11 PSPO's are not intended to target individuals and will only be used where alcohol related anti-social behaviour is having a detrimental impact on other members of the public. A full Equality Impact Assessment has been completed to ensure that we adhere to the human rights of all, always taking a balanced view to enforcement.
- 11.12 Where licensed premises have responsibility for land adjacent to their curtilage, or where consumption is associated with tables and chairs placed on the highway with the Council's consent (e.g. pub gardens, cordoned areas, and eateries), such circumstances will not be considered to warrant the use of PSPO enforcement legislation. This is because there are already powers available under the statutory licensing regulations to address behaviour in these locations.
- 11.13 Historically, a local agreement with Winchester City Council and Police District Commander was put in place which allowed for the temporary disbandment of the order whilst events in the city take place, with a condition that it resume 24 hours after it ends e.g. the Hat Fair. It is proposed that this condition will not change within this extension.
- 11.14 A local authority must have particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights. The limited impact of the restrictions imposed by the PSPO are considered compatible with rights under the Convention as the restrictions are lawful, necessary and proportionate having regard to the evidence and detrimental impact of alcohol related anti-social behaviour on people living, working or visiting the area of the PSPO.
- 11.15 When considering whether to make or extend the period for a PSPO a local authority must have particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights. The limited impact of the restrictions imposed by the PSPO are considered compatible with rights under the Convention as

the restrictions are lawful, necessary and proportionate having regard to the evidence and detrimental impact of alcohol related anti-social behaviour on people living, working or visiting the area of the PSPO.

12 OTHER OPTIONS CONSIDERED AND REJECTED

- 12.1 The option to not extend the PSPO beyond September 2026 has been rejected because it is considered that a failure to extend the PSPO would lead to an increase in alcohol related anti-social behaviour. Consultation feedback and supporting statements demonstrate that partners and statutory consultees fully support the extension of the PSPO for a further 3 years.

BACKGROUND DOCUMENTS: -

Previous Committee Reports: -

[LR571 Renewal of public space protection order.pdf](#) 5th September 2023.

Other Background Documents: -

Public Space Protection Order – Guidance for Councils – LGA

<https://www.local.gov.uk/public-spaces-protection-orders-guidance-councils>

APPENDICES:

Appendix 1. PSPO Review and Extension Report 2026

Appendix 2. PSPO Equality Impact Assessment