

Public Space Protection Orders

Health and Environment Policy
Committee 25th February 2026



What is a Public Space Protection Order?

- **Anti-Social Behaviour, Crime and Policing Act 2014.**

Designed to deal with specific, persistent, and unreasonable nuisances in particular public areas that negatively impact the local community's quality of life.

- **Purpose:** To ensure public spaces can be enjoyed safely, free from anti-social behaviour (ASB).
- **Duration:** They last for a maximum of **three years**, after which they must be reviewed and can be extended.
- **Scope:** They apply to everyone in the designated area in respect of identified activities or behaviours.
- **Breach Penalties:** Failure to comply with a PSPO is a criminal offence, potentially resulting in a **£100 fixed penalty notice (FPN)** or a fine of up to **£1,000 upon conviction**.

PSPO: Commonly Restricted Activities/Behaviours

- **Alcohol/Drugs:** Designated zones, refusing to surrender alcohol, or using psychoactive substances.
Current: Alcohol PSPO already in place – 3 years up in September 2026 (extension to be considered at June 2026 Licensing and Regulation Committee).
- **Dog Control:** Fouling, failing to carry waste bags, or not keeping dogs on a lead in specific areas.
Current: Use Dogs (Fouling of Land) Act 1996 covers whole district.
- **Behavioural Issues:** Urination, defecation, spitting, or aggressive begging.

PSPO: Commonly Restricted Activities/Behaviours

- **Public Nuisance:** Noise in the street i.e. Busking

Current: Use of Stat Nuisance s79 of EPA 1990 and Busker's code. Ambiguous and labour intensive.



- **Littering and Waste:**

Current: Littering an immediate offence, EPA 1990 s87 empowers LAs to serve Fixed Penalty Notices. Commercial Waste controlled through EPA 1990 s33 and s34

PSPO: Implementation and Compliance

- **Aim:** To simplify a range of different legislative regimes within a specific area.
- **Scope:** Pilot within a defined place.
- **Proportionality:** Restrictions must be reasonable, necessary, and proportionate to the harm, according to Home Office guidance.
- **Consultation:** Councils must consult with local police and community representatives before introducing or extending an order.
- **Signage:** Reasonable signage must be placed in the restricted area.
- **Enforcement:** Authorized council officers, police officers, PCSOs and other 'agents' authorized by the Council.
- **Targeted Approach:** PSPOs should not be used to target specific groups, such as the homeless, based solely on their status.
- **Alternatives:** Other tools, should be considered before a PSPO is used i.e. pre-existing/bespoke legislation



PSPOs in Winchester

Context

- No's of FPNs Served in Winchester is low
- Current FPN £ rates are low - limited deterrent
- Limited enforcement capacity – limited deterrent
- Ongoing concerns locally with ASB and Littering
- Current alcohol PSPO expires September 2026
- PSPO can strengthen controls within Public Realm
- Aligns with 'Taking Pride in Winchester' approach

Opportunities

- Expand PSPO area and delivery profile
- Increase FPN levels
- Improve enforcement visibility
- Consider pilot external enforcement agency model

PSPOs in Winchester

Seeking input in some key areas of policy formation

- **Early co-design of proposed PSPO– What do we want?**
 - A safe, welcoming and inclusive Winchester
 - Co-design to shape the outcomes, with principles, consultation and engagement
 - To define geography and behaviours to be controlled

- **Shape outcomes**
 - To establish delivery model
 - Steer on priorities education and enforcement
 - Communications i.e. focus on prevention?
 - Pilot
 - Define how to measure success



PSPOs in Winchester – Close

Benefits

- A Cleaner, Safer, Fairer street scene
- Enforcement underpinned by public education
- Collaborative - Supports BID & Police

Next Steps

- Identify activity/behaviours that merit PSPO controls
- Identify area(s) for PSPO (Winchester City/whole district)
- Identify Challenges and Solution on delivery and enforcement i.e. use of external enforcement agency
- Benchmark and research success/failures from other PSPOs
- Commence Stakeholder Consultation
- Write Cabinet Paper outlining detailed options