

## **NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

### **Report for Public Protection and Licensing Committee – October 2025**

<b><u>Title:</u></b>	<b>Newcastle Town Centre Public Space Protection Order Renewal</b>
<b><u>Submitted by:</u></b>	Service Director – Neighbourhood Delivery
<b><u>Portfolios:</u></b>	Community Safety and Wellbeing
<b><u>Ward(s) affected:</u></b>	Town

#### **Purpose of the Report**

This report is to;

Inform members of the historical and current issues in relation to Newcastle town centre, methods that have been used to prevent this behaviour and the proposals to deter this behaviour in future. The report also seeks approval to conduct a 12 week public consultation on for a renewed Public Space Protection Order (PSPO) for Newcastle Town Centre and the surrounding areas before returning to the committee to feedback results.

#### **Recommendations**

That Committee considers the content of this report and gives approval for Officers of the Council to conduct a 12 week public consultation for a renewed PSPO for Newcastle town centre and surrounding areas.

#### **Reasons**

- Following ongoing reports of anti-social behaviour in Newcastle town centre, the Borough Council is seeking to use its powers to impose prohibitions to tackle incidents of anti-social behaviour.
- The Committee is required to consider agreeing to the conditions of the order so that a formal consultation can be initiated.

## **1 Background**

- 1.1 A Public Space Protection Order is an order made under the Anti-Social Behaviour, Crime and Policing Act 2014 whereby this legislation allows for an order to identify a particular space or area to which it will be applied; and can make requirements, or prohibitions, or both within that space or area. This means that the Local Authority can, by virtue of the order, require people to do, or not to do specific things in that space or area. The Local Authority has the powers to grant the prohibitions/requirements where it believes that they are reasonable in order

to reduce or prevent the unwanted issues. The order can be applied to specific people or everyone within an area and can apply at all times or within specific times. The order can apply for a maximum of 3 years upon which the process of reviews and consultation must be repeated to check whether the issues are still occurring and the order is having the required effect. After the initial 3 years, the order can be extended for a further 3 years, and upon further reviews and consultation, can be extended more than once for further periods of 3 years.

- 1.2 Failure to comply with either a prohibition, or requirement stated within the order is a Level 3 offence. Upon summary conviction (offences heard within the Magistrates Court) defendants can face a fine. The defendant cannot be found guilty of an offence under a prohibition/requirement where the Local Authority did not have the power to include it in the order. The authority has the option to either prosecute or issue a Fixed Penalty Notice (FPN) to discharge liability to convict (s67 & 68 of the Antisocial Behaviour, Crime and Policing act).
- 1.3 Newcastle town centre has had an active PSPO since 2019. This was reviewed in 2022. The PSPO was put in place to address concerns of crime and anti-social behaviour within the town centre, to provide a tool which could be utilised by Staffordshire Police and Newcastle-under-Lyme Borough Council officers.

Since the current Order was put in place the follow breaches have been noted (which has resulted in FPN's being served) –

2023 – 8

2024 – 16

2025 to date (July 2025) - 4

- 1.4 The main issues in Newcastle-under-Lyme town centre have been highlighted as street drinking, drug taking, aggressive and/or persistent begging, general anti-social behaviour and vandalism/defacement of property. More recently, unauthorised encampments and misuse of e-scooters have also been an issue. The PSPO is to be used as a complementary tool that can be used by Staffordshire Police or authorised officers of Newcastle-under-Lyme Borough Council to deal with crime and anti-social behaviour within the PSPO boundaries.
- 1.5 The boundaries for the PSPO area proposed have been reviewed in line with hotspot mapping of incidents reported to Staffordshire Police.

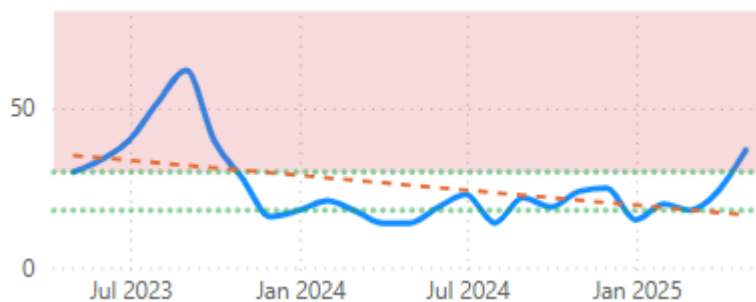
## **2. Issues**

- 2.1 Newcastle town centre continues to be the hotspot for Crime and Anti-social behaviour in the Borough. The below table shows the type of incidents and the number of reports from April 2023 to April 2025.

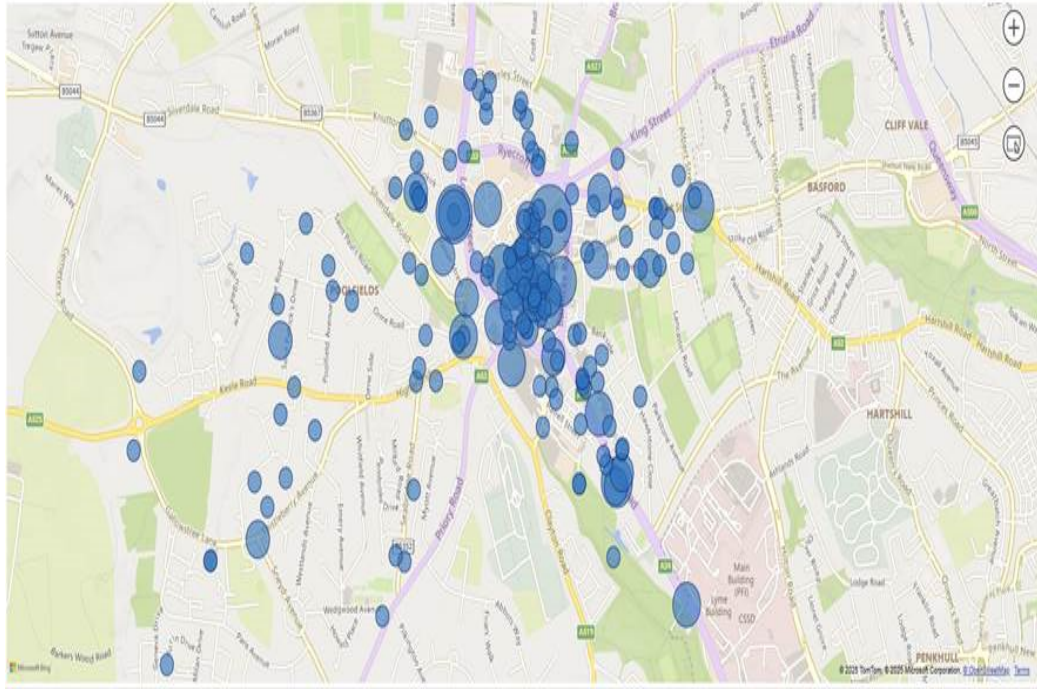
Type of incident	Number of reports (April 2023 – April 2025)
Anti-social behaviour	647

Cycle theft offences	73
Burglary	117
Criminal Damage and Arson	304
Drug offences	121
Theft	275
Possession of weapon offences	45
Public Order offences	393
Robbery offences	37
Shoplifting offences	543
Theft from person	40
Vehicle crimes	85
Violence and sexual offences	1347

There has been a decline in anti-social behaviour incidents over the past two years which falls in line with the trend across Staffordshire. The chart below shows a peak in summer 2023 – following the implementation of the PSPO but then a sharp decline following this.



The below hotspot map identifies crimes and anti-social behaviour in Newcastle Town Centre and surrounding areas. This map has been overlayed so that the proposed area for the PSPO reflects where it is needed.



### 3. **Proposed Prohibitions**

#### 3.1 The proposed prohibitions for the Newcastle town centre PSPO are:

Engaging in behaviour likely to cause harassment, alarm or distress within the Exclusion Zone including:

- Congregating in a group of three or more persons within the Exclusion Zone following a request from an Authorised Person that such group must disperse.
- Being verbally abusive to any other person within the Exclusion Zone.
- Using or threatening to use violence against any other person within the Exclusion Zone.
- Having in their possession open cans, bottles or other unsealed receptacles containing alcoholic beverages (including empty receptacles) within the Exclusion Zone.
- Carrying out any form of graffiti on any surface within the Exclusion Zone.
- Possessing or using of an aerosol and/or any item intended to cause defacement within the exclusion Zone.
- Failing to cease to consume alcohol and/or surrender alcohol when requested to do so by a police officer or other authorised person.
- Any person is prohibited from riding an E-scooter (and an e-bike which does not meet the standard requirements of an Electronically Assisted Pedal Cycle). Any person may push and walk alongside their E-scooter (or non-complaint e-bike) through the exclusion zone.
- Not to consume alcohol within the exclusion zone unless within a licenced premises or within a designated area subject to a street traders licence.

- Ingesting, inhaling, injecting, smoking or otherwise using intoxicating substances including novel psychoactive substances within the Exclusion Zone.
- Persistent and aggressive begging, causing obstruction, harassment and threatening behaviour, which could cause intimidation.
- Failing to deposit litter of any form in any area other than in a designated receptacle.
- Not to urinate / defecate in public view.
- Not to discard hypodermic needles or syringes in a public space (except in an appropriate sharps container)
- Not to erect a temporary structure in a public place without the permission of Newcastle-under-Lyme Borough Council. Temporary structures includes but is not limited to stalls, tents, tables, trestles or leaflet stands.
- Obstructing a building or exit, stairwell or highway after being asked to move by an authorised officer.

#### **4. Recommendations**

- 4.1 That the Public Protection and Licensing Committee considers the content of this report and approves Officers to initiate a 12 week public consultation for the proposed PSPO renewal.

#### **5. Options considered**

5.1 Do nothing – this option would not help to address crime and anti-social behaviour in Newcastle town centre. We may also see an increase of incidents due to not having the PSPO in place as a deterrent.

5.2 Reduce the scale of the order – the proposed order would look to cover Newcastle town centre and some areas outside of the ring road. Reducing the scale of the exclusion zone may lead to incidents in other areas.

5.3 Agree the order for consultation – this will allow effective enforcement from the Community Safety Partnership who will be able to enforce the order.

#### **6. Legal and Statutory Implications**

- 6.1 PSPO's can be challenged on the grounds that the Local Authority, under the legislation, did not have the power either to make or vary the Order or include particular prohibitions or requirements, or that proper processes had not been followed (as prescribed by the legislation). Challenges must be made to the High Courts within 6 weeks of the Order being made/varied and by an individual who lives in, regularly works in, or visits the restricted area. The High Court can quash, uphold or vary the PSPO and may decide to suspend the operation of the PSPO pending the verdict.

#### **7. Equality Impact Assessment**

- 7.1 An Equality Risk Assessment has been refreshed detailing how PSPO's will affect disadvantaged and vulnerable individuals such as dependent street drinkers, rough sleepers and beggars.

## **8. Financial and Resource Implications**

- 8.1 The PSPO will be managed under existing Council resources in the Neighbourhood Delivery, Legal and Finance Teams with assistance from partners such as the Police who will be identifying breaches of the PSPO and issuing FPNs as authorised persons on behalf of the Council as outlined in the PSPO Order.
- 8.2 Signage will be required on key entry points in and around the Borough. Signs will also be installed at hotspot locations.

## **9. Major Risks and Mitigation**

- 9.1 There are no known risks or mitigations to be considered as part of this report.

## **10. UN Sustainable Development Goals (UNSDG)**



## **11. Key Decision Information**

- 11.1 Not Applicable

## **12. Earlier Cabinet/Committee Resolutions**

- 12.1

## **13. List of Appendices**

- 11.1 Appendix 1: Public Space Protection Order Newcastle Town Centre (draft Legal Order)

## **12. Background Papers**

- 12.1 None