

Brighton & Hove City Council

Cabinet

Agenda Item 10

Subject: Consultation on the Renewal, Extension and Introduction of New Public Space Protection Orders (PSPOs)

Date of meeting: Monday 29th June 2026

Report of: Cabinet Member for Children, Families & Youth

Lead Officer: Corporate Director for Families, Children and Wellbeing

Contact Officer: Name: Richard Tuset

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Ward(s) affected: (All Wards);

Key Decision: Yes

Reason(s) Key: Is significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions (wards).

For general release

1. Purpose of the report and policy context

1.1 This report seeks Cabinet approval to undertake public and statutory consultation in relation to:

- the renewal of existing Public Space Protection Orders (PSPOs) that are due to expire;
- the extension of some existing Public Space Protection Orders (PSPOs); and
- the potential introduction of new PSPOs to address identified and emerging issues of anti-social behavior and environmental harm in public spaces across Brighton & Hove.

1.2 The Council Plan includes a mission for a city where people feel safe, included and welcome. PSPOs are an important tool, helping the council deliver services and activities that support this mission.

1.3 Public Space Protection Orders are provided for under the Anti-social Behaviour, Crime and Policing Act 2014. They allow local authorities to impose proportionate and targeted restrictions on activities in public spaces where those activities have had, or are likely to have, a detrimental effect on the quality of life of those in the locality.

1.4 Under the Act, PSPOs may have effect for a maximum period of three years. Where a local authority considers that the statutory tests continue to be met, an Order may be renewed following appropriate consultation.

1.5 The Council must undertake consultation before making any new PSPO. This report does not seek approval to make, renew, vary or discharge any PSPO at this stage. It seeks approval only to consult, with any final proposals to return to Cabinet for decision following consideration of consultation feedback and further evidence.

2. Recommendations

2.1 Cabinet approves the undertaking of statutory consultation in relation to:

- a) the proposed renewal of existing Public Space Protection Orders that are due to expire as set out in Appendix 1;
- b) the potential extension of some existing Public Space Protection Orders as set out in Appendix 2; and
- c) the potential introduction of new Public Space Protection Orders to address anti-social behaviours and/or activities identified through evidence and partner intelligence, as set out in Appendix 3.

2.2 Cabinet agrees that a further report will be brought back setting out:

- the results of consultation;
- the updated evidence base;
- an assessment of proportionality and necessity; and
- recommendations on whether to renew/vary, make or discharge PSPOs.

3. Context and background information

3.1 Brighton & Hove City Council currently has twelve PSPOs in place (Appendix 1) addressing issues including, but not limited to, alcohol-related anti-social behaviour, dog control, and gated public spaces.

3.2 These Orders were introduced to address specific and persistent issues which were assessed as having a detrimental effect on the quality of life of those living in, working in or visiting affected areas.

3.3 If these PSPOs are not renewed, the restrictions and enforcement powers associated with them will lapse.

3.4 In addition, partners and Council services have identified emerging and changing patterns of behaviour which may warrant consideration for the extension of some existing PSPOs (Appendix 2) or the adoption of new PSPOs (Appendix 3), subject to consultation and satisfaction of the statutory tests.

3.5 The Council is required to consult with:

- the Chief Officer of Police and the local policing body;
- community representatives; and
- any person the authority considers appropriate.

3.6 Consultation is therefore a statutory requirement and a necessary step before any decision can be taken to renew or introduce a PSPO.

4. Analysis and consideration of alternative options

- 4.1 Cabinet has the option of not agreeing this consultation and doing nothing. This would result in existing PSPOs expiring and the Council losing associated enforcement powers. This option is not recommended.
- 4.2 Alternatively, Cabinet can agree to this consultation proceeding, enabling the Council to meet its statutory duties, gather evidence, and ensure that any future decisions are informed, lawful and robust. This is the recommended option.

5. Community engagement and consultation

- 5.1 Subject to Cabinet approval to proceed, consultation will be undertaken with:
- statutory partners, including Sussex Police;
 - ward councillors;
 - residents, businesses and community organisations; and
 - other stakeholders as appropriate.
- 5.2 The channel for consultation will be the Your Voice platform, with additional engagement activities adopted as appropriate to each PSPO.
- 5.3 The consultation will seek views on:
- whether the existing PSPOs remain necessary and proportionate;
 - the impact of the current Orders;
 - whether any amendments and/or extensions are required; and
 - whether there is support for the introduction of any new PSPOs.
- 5.4 The consultation approach will be proportionate, accessible and inclusive, and will be designed to ensure that a broad range of views can be captured.

6. Financial implications

There are no additional financial implications arising from the approval to consult. Staff time (preparing orders, consultation and review work) is estimated at £2,500. Costs associated with the consultation will be managed within existing budgets and any potential additional costs resulting from subsequent implementation, will be considered and reported as part of any future decision-making report.

Name of finance officer consulted: David Ellis Date consulted (08/06/26)

7. Legal implications

- 7.1 The threshold requirements for any PSPO are clearly set out above, but it should be noted that there are a number of technical requirements which also need to be met especially if it is agreed that PSPO's will be taken forward.

- 7.2 There will be a requirement for solid evidence to justify renewal and any new matters. This is because the nature of the PSPO is restrictive. There will need to be consideration not only of evidence but impact. For instance it is not lawful to have a PSPO specifically designed to stop rough sleeping. The wording of the Orders if made has to be considered carefully to ensure it is enforceable

Name of lawyer consulted: Simon Court Date consulted (16/04/26):

8. Risk implications

This consultation process, to inform the potential renewal, extension or adoption of new PSPOs doesn't have any immediately identifiable risks.

9. Equalities implications

- 9.1 This consultation process, to inform the potential renewal, extension or adoption of new PSPOs does not have significant equality implications.

- 9.2 Equality Impact Assessments will be considered in relation to any recommended renewal, extension or adoption of new PSPOs arising from this consultation to identify any potential disproportionate impacts on protected groups.

10. Sustainability implications

- 10.1 This consultation process, to inform the potential renewal, extension or adoption of new PSPOs doesn't have any sustainability implications.

11. Health and Wellbeing Implications:

- 11.1 The consultation process to inform the potential renewal, extension or adoption of new PSPOs doesn't have any health and wellbeing implications.

Other Implications

12. Procurement implications

- 12.1 This activity involves no procurement, so has no procurement implications.

13. Crime & disorder implications:

- 13.1 PSPOs are one of a range of tools available to the Council and its partners to address anti-social behaviour and support community safety and cohesion. The consultation process does not have any crime or disorder implications.

14. Conclusion

- 14.1 Cabinet's agreement to proceed with this consultation will enable the Council to take a lawful, transparent and evidence-based approach to its future application of Public Space Protection Orders.

Supporting Documentation

1. Appendices

1. Current PSPOs
2. Potential Extensions
3. Potential New PSPOs

