

LBN PSPO Proposals

Community Safety Enforcement Team

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Introduction

The Anti-social Behaviour, Crime and Policing Act 2014 introduced several new tools and powers for use by Councils and their partners to address anti-social behaviour (ASB) in their local areas. Public Space Protection Orders (PSPOs) are one of the tools available under the 2014 Act. The legislation recognises that Councils are often best placed to identify the broad and cumulative impact that ASB can have. The persistence of these issues can have a disproportionate impact on our most vulnerable residents and spaces. The Act gives Councils the authority to draft and implement PSPOs in response to the particular issues affecting their communities, provided certain criteria and legal tests are met.

First test concerns the nature of the anti-social behaviour, requiring that activities that have taken place have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will take place and that they will have a detrimental effect.

The effect or likely effect of these activities:

is, or is likely to be, persistent or continuing in nature

is, or is likely to be, unreasonable

justifies the restrictions being imposed

- There are currently four Public Space Protection Orders in place across the Borough
 - Alcohol Control
 - Dog Control
 - Vehicle Nuisance
 - Worland Road car park (ASB)

The PSPOs are enforced by way of education, compliance and enforcement (fixed penalty notices)

Introduction continued

We are looking to introduce a further four new PSPOs, that will tackle various forms of ASB across the Borough;

- Street Harassment
- Misuse of Car Parks
- Misuse of Fireworks
- Psychoactive Substances

Each will be supported with Council and MPS data where this is currently recorded.

Street Harassment

Street harassment and its impact on the wider community has been an issue for a number of years and continues to be raised by local members and residents. There is a perception that street harassment can engender wider feelings of insecurity and give the impression that the public space is not a safe place for our community to go about their daily business.

This Order imposes that;

No person/s shall direct or use threatening, abusive or insulting words or behaviour of a sexual nature towards another person or group where such behaviour is likely to undermine their sense of safety in a public space. Such behaviour includes – but is not limited to;

- Unsolicited sexualised or obscene comments, propositions or gestures
- Persistent questioning or following someone
- Non-consensual physical contact
- Cat-calling and inappropriate whistling
- Hate and abuse based on someone's protected characteristics such as race, religion, gender, sex, and sexual orientation

Misuse of Car Parks

Anti-social behaviour in our car parks can be intimidating and can cause harassment and environmental issues, such as litter. Although many people use these spaces responsibly, there are those who do not, and their actions make our car parks unpleasant places to be.

This Order imposes that;

No person/s shall engage in any form of anti-social behaviour within identified car parks across the borough that is likely to cause harassment, alarm and distress.

Locations

- The PSPO will detail a list of locations as part of the order. In summary this will include all LBN managed / owned car parks and selection of housing land defined car parks.

Misuse of Fireworks

Although seasonal, misuse of fireworks in public spaces presents serious health and safety risks to residents, businesses and member of the public. LBN and MPS have seen not only an increase in incidents but also an escalation of severity of incidents with high harm in busy public spaces.

This Order imposes that;

- No person/s shall discharge or throw a firework in a public place in a manner likely to cause another harassment, alarm, or distress.

Purpose

Discharging of fireworks in public spaces peaks during seasonal and religious festivities. Unauthorised use can cause a significant safety risk to the public and officers.

Psychoactive Substances

Previously, there was clear evidence that nitrous oxide misuse was prevalent within Newham. However, since nitrous oxide has now been classified as a controlled drug under the Misuse of Drugs Act 1971, enforcement relating to its possession and supply has shifted to Police powers. We are therefore proposing a PSPO that continues to address the harms caused by **other** psychoactive substances in public spaces, supporting a preventative and public health-focused approach to emerging substances and their associated environmental impacts.

The Order imposes that;

Person/s will not ingest, inhale, inject, smoke, possess or otherwise use psychoactive substances and which is causing or likely to cause harassment, alarm, distress, nuisance or annoyance to members of the public.

Meaning of psychoactive substance and purpose

Psychoactive substance means any substance which is capable of producing a psychoactive effect in a person who consumes it and is not an exempted substance under the Psychoactive Substance Act 2016. For the purposes of this prohibition a substance produces a psychoactive effect in a person if, by stimulating or depressing the person's central nervous system, it affects the person's mental functioning or emotional state.

For the purposes of this prohibition a person consumes a substance if the person causes or allows the substance, or fumes given off by the substance, to enter the person's body in any way. Exemptions shall apply in cases where the substances are used for a valid and demonstrable medicinal use, given to an animal as a medicinal remedy, are cigarettes (tobacco) or vaporisers or are food stuffs regulated by food health and safety legislation.

Persons who breach this prohibition shall surrender any psychoactive substances in his/her possession to an authorised person. An authorised person could be a police constable, Police Community Support Officer or authorised Officer of the London Borough of Newham and must be able to present their authority upon request.

Summary of Consultation Process



Requirements under the 2014 Act regarding consultation, publicity, and notification;

Primary method of consultation involves use of an online survey to first assess the impact of the community concerns identified and which the Council's proposals seek to address, along with the level of support for the proposals themselves. Newham Co-Create platform is our digital platform for online consultations and resident engagement activities. The platform offers multiple ways to consult our residents, share information and ask for opinions using a survey. The platform is powered by Citizen Lab and it is used by many other Councils.

Demographic questions, although optional, will be used to monitor engagement with diverse groups and to support completion of the Equality Impact Assessment which will accompany the final decision report.

Direct consultation will be undertaken with mandatory consultees, e.g. the local Police and other specific stakeholders, (Newham Safety Partnership, the Safer Neighbourhood Board and local Independent Advisory Groups), who do or may represent the interests of those living, working, or visiting the Borough.

We will publish a public notice to advertise residents that we are going out to consultation; this will be added to the Council's website and there will also be a physical paper notice up at both Stratford and East Ham Town Hall.

Additionally, an all Members Briefing email will be circulated during the consultation period and we will also brief Scrutiny members for comments.

Proposed Timeline

December 2025 – Proposed consultation will take place over a minimum of five weeks, predominately during this month.

January 2026 – Consultation will end

End January 2026 – Cabinet report completed

March 2026 – Final Cabinet decision

May 2026 – PSPO implementation