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27 February 2018

S U M M O N S

MEETING: Community Board
DATE: 7 March 2018
TIME: 6pm
PLACE: Council Chamber, Town Hall, Gosport
Democratic Services contact: Lisa Young

MICHAEL LAWThER
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

The Mayor (Councillor Mrs Batty) (ex-officio)
Chairman of the Policy and Organisation Board (Councillor Hook) (ex-officio)

Councillor Burgess (Chairman)
Councillor Murphy (Vice Chairman)

Councillor Bateman
Councillor Earle
Councillor Hammond
Councillor Mrs Hook
Councillor Mrs Huggins
Councillor Hylands

Councillor Mrs Jones
Councillor Miss Kelly
Councillor Mrs Morgan
Councillor Ronayne
Councillor Scard
Councillor Wright

FIRE PRECAUTIONS

(To be read by the Chairman if members of the public are present)

In the event of the fire alarm sounding, please leave the room immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, follow any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

IMPORTANT NOTICE:

- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

NOTE:

- i. Councillors are requested to note that, if any Councillor who is not a Member of the Board wishes to speak at the Board meeting, then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off or switched to silent for the duration of the meeting.
- iii. This meeting may be filmed or otherwise recorded. By attending this meeting, you are consenting to any broadcast of your image and being recorded.

AGENDA

1. APOLOGIES FOR NON-ATTENDANCE
2. DECLARATIONS OF INTEREST
All Members are required to disclose, at this point in the meeting or as soon as possible thereafter, any disclosable pecuniary interest or personal interest in any item(s) being considered at this meeting.
3. MINUTES OF THE MEETING OF THE COMMUNITY BOARD HELD ON 24 JANUARY 2018
4. DEPUTATIONS – STANDING ORDER 3.4
(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Monday 5 March 2018. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).
5. PUBLIC QUESTIONS – STANDING ORDER 3.5
(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Monday 5 March 2018).
6. PROPOSED HARDWAY PSPO
Report to Follow
7. ANY OTHER ITEMS

PART II
Contact Officer
Jamie Paterson

**A MEETING OF THE COMMUNITY BOARD
WAS HELD ON 24 JANUARY 2018 AT 6PM**

The Mayor (Councillor Mrs Batty), Councillor Hook (P), Councillors Bateman (P), Burgess (P), Earle (P), Mrs Hook (P), Mrs Huggins (P), Hylands (P) Mrs Jones (P), Miss Kelly (P), Mrs Morgan (P), Murphy, Ronayne (P), Scard, Wright (P)

It was reported that in accordance with Standing Order 2.3.5, Councillors Hook and Edgar had been nominated to replace Councillors Murphy and Scard respectively for this meeting.

21. APOLOGIES

Apologies for inability to attend the meeting were received from Councillors Murphy and Councillor Scard.

22. MINUTES OF THE MEETINGS OF THE COMMUNITY BOARD HELD ON 6 SEPTEMBER AND 17 OCTOBER 2017

RESOLVED: That the minutes of the meetings of the Community Board held on 6 September 2017 and Extraordinary meeting held on 17 October 2017 be approved and signed by the Chairman as true and correct records.

23. DECLARATIONS OF INTEREST

There were none.

24. DEPUTATIONS

There were none.

25. PUBLIC QUESTIONS

There were no public questions.

PART I

**26. BUSINESS PLAN UPDATE AND COUNCIL DWELLING RENTS
2018/2019**

Consideration was given to a report of the Borough Treasurer and the Housing Services Manager seeking consideration of the Housing Revenue Account (HRA) Business Plan including the revised 2017/18 budget and the 2018/19 budget including recommendations on rent levels for next year.

The Board were updated that there was an addendum appendix B to the report as a result of the re-examination of administration costs after the agenda had been dispatched.

Members acknowledged that changes were imposed by the new national rent policy.

In answer to a Member's question, the Board was advised that there was

provision in the major repairs budget for roofs, gutter and fascia repairs and that this would allow the work to be tendered.

RESOLVED: That the Community Board recommend to Council that:

- The revised HRA Business Plan extract (Appendix A) and associated 2017/18 Revised Budget and 2018/19 Budget (amended Appendix B) are agreed.
- That Council Dwelling rents decrease by 1% (an average of £0.80 per week), continuing the four year reduction programme as detailed in the new national rent policy introduced in April 2016.
- The rent for older style garages is increased in line with inflation, as agreed in the Garage Renewal strategy and rent for non GBC tenants who have garages is increased by £1 per week.

PART II

27. DELEGATION OF AUTHORITY TO ACQUIRE HRA PROPERTIES

Consideration was given to a report of the Borough Solicitor and Deputy Chief Executive recommending that the Board delegate its power to purchase residential properties for use as housing to the Head of Housing where the purchase is funded by the use of retained Right to Buy receipts.

Members welcomed the proposal and felt that it was an appropriate use of delegated powers to officers and accepted that often property purchases were time critical, but expressed concern at the devaluing of Members decision making in other areas.

Members discussed the option of introducing a cap on the value of the properties purchased and it was felt that it may preclude the purchase of larger, much needed properties leading to the Council to missing out.

Members acknowledged that an independent valuation of the properties was carried out but requested that consultation be carried out with the Chairman of the Board and that Members be advised of any purchases undertaken.

RESOLVED: That the Community Board, agrees to delegate its power to purchase residential properties for use as housing to the Head of Housing, in consultation with the Chairman of Community Board, where the purchase is funded by the use of retained Right to Buy receipts.

28. PETITION: PUBLIC SPACES PROTECTION ORDER FOR HARDWAY GREEN

By reason of special circumstances, the Chairman determined that the following item be considered at this meeting notwithstanding the fact that the item had not been available for public inspection in accordance with the provisions of Section 100B(4)(a) of the Local Government (Access to Information) Act 1985.

The special circumstances were created as there was an urgency to start the consultation period, if approved, to allow the order to be in place as soon as

possible before the spring and summer.

Councillor Allen was invited to address the Board as ward councillor for Hardway and advised that the issue had escalated over the past 6 or 7 years.

He advised the Board that the lighter evenings had led to young people gathering at the site and that whilst the majority of young people were there to enjoy harmless fun, an element of them were causing havoc and damage to the area. This was unpleasant for the residents and had led to severe suffering, distress and worry for them.

He advised that some residents health had been affected as a result of the situation and that the young people involved had escalated the situation by inviting their friends from further afield to the location.

Councillor Allen advised that the reports received regarding the behaviour were all true and that he had seen first-hand the damage being caused. He advised that residents regularly called the Police but that there was little that they could do.

He advised that he was not keen to see young people banned from the area but the situation with a fraction of young people needed to be dealt with to allow residents a decent standard of living and the area to be treated with respect.

He advised the Board that it was a lovely area with great views and that people were being driven away from enjoying it correctly by those causing trouble.

Councillor Allen advised that Board that previously a section 35 dispersal order had been used by the police to disperse the young people during the summer bank holiday weekend, but that these were of limited use as they require authorisation by a Police Inspector. He concluded by advising that the cycle of behaviour needed to be broken and that enforcement powers needed to be in place to do so.

Members advised that intervention and support work with the youths had been ongoing for a number of years to try and address the situation. There had been engagement of youth services, patrols by Police Officers, uniformed and plain clothes Streetscene patrols, but the problems still persisted.

It was reiterated that approval at the meeting would allow for the consultation period to begin on the proposed Order, allowing a report to be presented to the March Community Board to ensure that if the Order's adopted it would come into place before the lighter evenings arrived.

Members reiterated their disappointment that a minority of young people were ruining the enjoyment for others, but acknowledged the residents needed protecting. The Legal Officer advised that the proposed restrictions in the Order do not ban ball games or young people socialising on the green.

Members had seen the issue in the area first hand and expressed disappointment that cuts in Police levels meant it could not be patrolled more frequently. Members also reiterated the need to report every incident and obtain an incident number by telephone or online via the 101 service to ensure that incidents were recorded.

Members supported the proposal, but reiterated their concern for other areas within the Borough that were also subject to antisocial behaviour.

Members were advised by the Legal Officer that additional information on the level of the antisocial behaviour and its impact on the wider community had only recently been made available since the submission of the initial petition and that the order would be for a period of three years.

RESOLVED:

A. The Community Board notes the contents of the petition and results of the community survey undertaken by the Hardway residents' action group as to the nature and scale of the anti-social behaviour during the summer months at Hardway memorial green and its impact on those living in the locality (Appendix 1 of the report):

B. The Community Board has regard to:

- (i) the informal intervention work the Council and its partner agencies undertake with young people to prevent the behaviour escalating; and
- (ii) the existing anti-social behaviour powers and other enforcement tools at the disposal of the Council and police.

C. The Community Board agrees, notwithstanding paragraph B above that it may still be appropriate and proportionate to make a Public Spaces Protection Order for Hardway Memorial Green and the immediate locality in the form of Appendix 2.

D. The Borough Solicitor and Deputy Chief Executive be delegated authority to undertake the statutory consultation exercise with the partner agencies and stakeholders identified in paragraph 5 of the report and the public on the proposal to adopt the draft Public Spaces Protection Order.

E. The Community Board shall at its meeting on 7th March 2018 have regard to the consultation responses and make the final decision as to whether it is appropriate and proportionate to adopt the draft Public Spaces Protection Order

29. ANY OTHER ITEMS

There was no other business

The meeting concluded at 18.38

CHAIRMAN

AGENDA ITEM NO.6

Board/Committee:	Community Board
Date of Meeting:	7 th March 2018
Title:	Proposed PSPO for Hardway Green
Author:	Borough Solicitor and Deputy Chief Executive
Status:	FOR DECISION

Purpose

To inform the Community Board of the responses received from stakeholders and the public in relation to the consultation exercise on a proposed public spaces protection order for Hardway Green in the form of Appendix 1 ("Draft PSPO").

Recommendation

1.. The Community Board notes:

1.1 the content of the letter dated 23rd February 2018 from Chief Inspector Patrick Holdaway of Hampshire Constabulary, which states that Hampshire Police do not consider the implementation of the Draft PSPO necessary and proportionate at this time. (Appendix 2),

1.2 the content of the response from the youth council , which states that the Draft PSPO should not be implemented as the ASB on Hardway Green is no worse than in other areas in Gosport, the council can apply for ASB injunctions to target the persistent offenders, and the negative impact on young people through stereotyping (Appendix 5)

1.3 results of the public survey (Appendix 3), which overall shows that the public believe the Draft PSPO will have a positive impact if it is properly enforced,

14.the informal intervention work the council and its partner agencies undertake with young people to prevent the behaviour escalating as set out in sub section 2 of the report, and

1.5 the existing anti-social behaviour powers and other enforcement tool the council and police have at their disposal. as set out in sub section 2 of the report

2. The Community Board is satisfied from the petition and community impact survey (Appendix 4) there has been persistent and unreasonable ASB at Hardway Green which has had a detrimental effect on the quality of life of those in the locality

3. The Community Board is satisfied upon reasonable grounds that, notwithstanding the intervention measures and existing enforcement regime that the implementation of the PSPO is justified in order to effectively tackle the ASB.

4. The council shall adopt the Draft PSPO, which will take effect on 13th April 2018.

5. The Borough Solicitor shall have delegated authority to take the necessary steps for the Draft PSPO to take effect, including the publicity requirements.

1 .The Petition

1.1 The Green is situated off Priory Road, Gosport and includes a small grassed area adjacent to a public slipway and public car park (the “Green”) The Green is owned by the Council and accessible by the public. There is a memorial to the D-Day landings situated on the Green and benches are installed around the perimeter.

1.2 On 29th August 2017 a petition was received from RAG urging the Council to implement a PSPO for the Green to address anti-social behaviour (ASB).

1.3 The reasons for the Petition can be summarized as follows:

1.3.1 Local residents and users of the Green have suffered many years of anti-social behaviour (ASB) from young people congregating at the Green during the summer.

1.3.2 The ASB this summer from 1 large group of youths has included:-

- *Foul and obscene language*
- *Motorbikes/mopeds riding on footpaths and the green*
- *Littering*
- *Trespass*
- *Damage to property*
- *Intimidation*
- *Verbal Abuse*
- *Assault*
- *Drug related issues*

1.3.3 The ASB is having a detrimental effect on the quality of life of those in the locality, and these are likely to continue, albeit seasonally

1.3.4 The response by the Police and Council to address the ASB has not been effective

1.3.5 In June 2017 the Group was formed to highlight the problem to the

authorities and seek action to effectively deal with the issues permanently

1.3.6 A PSPO will break the cycle of this annual problem, return this public area to the community and bring an end to the summer misery of local residents. It will force the authorities to focus on the problems in this area and seek a permanent resolution.

1.4 The Borough Solicitor wrote to the petitioner on 9th October 2017 confirming that he was minded to refuse the petition. The police also indicated in a letter to the Council they were also of a similar mind. The said correspondence is at Appendix 1.

1.5 RAG has subsequently undertaken their own community impact survey to understand how much an issue ASB occurring on the Green is for residents and how it impacts on their ability to enjoy the public place. The completed surveys and results have been shared with the council.

1.5 51 residents completed the survey. 88% stated that they had experienced ASB in Hardaway over the last 12 months 66% of this demographic stated that the ASB occurred weekly or usually during the summer months.

1.6 The nature of the ASB is mainly groups of youths in the summer alcohol / drug related ASB ,being verbally abusive towards residents and using foul language, vehicle nuisance, nuisance ball games, litter, water activities, .

1.7 Many residents are fearful of using the Green in the summer in case they are met with verbal abuse and other anti-social behaviour.

1.8 The Borough Solicitor and Deputy Chief Executive was invited by RAG to address residents at a meeting on 15th January 2018 at Hardway sailing club to receive the survey and here residents' experiences of ASB.

1.9 It was clear from the number of residents who expressed their views that ASB on the Green is a real problem for the community in the summer months. 1.10 The petition and results of the community impact survey are at Appendix 4.

2. Existing response to the ASB

Intervention

2. 1 Three are regular police and streetscene patrols to the Green, which are intensified in the summer months. The police have indicated they will resource this with more use of the special constabulary and possibly police cadets.

2.2 The Council will continue to utilise detached youth services during the summer to Hardway to engage with the youths in relation to noise, litter, language, water safety and try and divert them to more suitable open spaces for ball games etc. The

council and police will write to parents encouraging them to take parental responsibility for the activities of their children.

2.3 The police and community safety will arrange joint visits to Brune Park / Bayhouse schools in the coming weeks ahead of the summer to educate young people on conduct that can amount to ASB and the impact it can have on the community

2.4 If young people are identified as being involved in multiple ASB incidents then a staged approach is undertaken starting with a warning letter, then the offer of an acceptable behaviour contract.

Alcohol related ASB

2.5 The police have the power to seize alcohol from underage drinkers. Other alcohol related antisocial behaviour can be dealt with under the Borough wide PSPO for ASB relating to the consumption of alcohol.

Litter

2.6.1 The dropping of litter amounts to a criminal offence. The council will arrange for litter strewn on the Green to be removed as and when necessary.

Criminal Law

2.6.2 The police will investigate public order offences, drug offences, criminal damage etc. If convicted the police may seek a criminal behaviour order. However criminal proceedings are not a quick process.

Dispersal order

2.7 Section 35 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) provides the Police with powers to disperse individuals for up to 48 hours in order to remove or reduce the likelihood of a person committing or likely to commit ASB, crime or disorder in a particular area. A police officer of inspector rank or above must authorise in writing the use of this dispersal power this was utilised by the police over the course of the summer bank holiday to good effect

Anti-social behaviour injunctions

2.8 If there is persistent ASB by individuals the council or police may, subject to the legal threshold being met and its proportionate apply for an injunction with conditions excluding the individual from the geographical area where the behaviour has occurred.

3. Overview of PSPOs

3.1 The Anti-social Behaviour, Crime and Policing Act 2014 (the Act) introduced several new tools and powers for use by councils and their partners to address anti-social behaviour (ASB) in their local areas. Public Spaces Protection Orders are one of the tools available under the Act.

3.2 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.

3.3 Councils can use PSPOs to prohibit specified activities, and/or require certain things to be done by people engaged in particular activities, within a defined public area which apply to everyone in that locality (with the possible use of exemptions). Breach of a PSPO without a reasonable excuse is an offence.

3.4 PSPOs are aimed at ensuring public spaces can be enjoyed free from anti-social behaviour.

3.5 A PSPO can last for up to three years, after which it must be reviewed. If the review supports an extension and other requirements are satisfied, it may be extended for up to a further three years. There is no limit on the number of times an Order may be reviewed and renewed.

3.6 The Act sets out a number of additional requirements for consultation and communication before an Order is introduced, once it is implemented and where it is extended, varied or discharged. PSPOs can be legally challenged under the 2014 Act on certain grounds.

3.7 Under section 59 of the Act, councils must be satisfied on reasonable grounds that the activity subject to a PSPO:

- has a detrimental effect on the quality of life of those in the locality (or it is likely that activities will take place and have such an effect)

- is (or is likely to be) persistent or continuing in nature

- is (or is likely to be) unreasonable

- Justifies the restrictions being imposed.

4. Home Office guidance

4.1 The Home Office has published statutory guidance on the use of the ASB powers available under the Act (the Guidance).

4.2 The Guidance states a PSPO will not be suitable or effective in all circumstances, and it is important to consider carefully the right approach for identifying and addressing the problem behaviour. Other options should actively be considered before a PSPO is pursued and where a PSPO is used, it should be carefully framed and employed alongside other approaches as part of a broad and balanced anti-social behaviour strategy.

4.3 The Guidance stresses that although the Act's primary focus is the impact of the ASB on the victim or victims, local authorities are also directed to consider to the interests of those against whom the Act's powers are used.

4.4 The Community Board must have regard to the right of the community to enjoy the public space without ASB against those of individuals and groups who may be

affected by the restrictions imposed. The proximity of other more suitable public spaces with pitches and the larger recreation areas may be a relevant

4.5 It is therefore important that the restrictions of any PSPO are framed in a way that does not prevent youths using the Green to associate providing that they do not engage in anti-social behaviour.

5. Statutory consultation

5.1 On 24th January 2018 the Board agreed for the council to undertake a statutory consultation exercise on implementing the Draft PSPO.

5.2 The proposal is for the Draft PSPO to be in force from 1st March to 31st October in any year. It would apply to public spaces in the geographical area shown hatched on the plan annexed to the Draft PSPO.

5.2 It would prohibit two or more persons from congregating in the Restricted Area and engage in any conduct capable of causing or likely to cause harassment, alarm or distress to any reasonable member of the public. The police and authorised council enforcement officers would have the option of requiring a person in breach of the prohibition to disperse from the area.

5.2 The council wrote on 2nd February 2018 to the police (chief constable and police crime commissioner), highway authority, local education authority, and other stakeholders including the youth council, local schools and youth offending team by way of consultation. Of those bodies consulted the police are the only one to have responded.

5.3 The council published a notice on its website on 2nd February 2018 giving details of the consultation and inviting members of the public to make their views known by completing a short online questionnaire. The consultation was highlighted in the local press and social media. The consultation period ran from 2nd February 2018 to 2nd March 2018.

6. Police response

6.1 The police consider that the ASB reported to the police and council is limited and the majority of complaints relate to ball games. They refer to the home office guidance, which states that in the case of groups loitering and playing games in public spaces partnership work should take place to resolve the ongoing problems to find a solution. They commend the council to have regard to the police action plan in response to the ASB as set out in the letter of the local Gosport police inspector.

6.2 The police consider that they and council have sufficient enforcement powers under the 2014 Act to tackle the ASB. They conclude that the implementation of the PSPO is not necessary and proportionate.

7... Analysis of the police response

7.1 Judging from the community impact survey responses and personal accounts of the aggrieved expressed at the public meeting it does appear that the ASB extends beyond ball games and groups just loitering in the locality and is having a detrimental effect on residents. It

7.2 The Board, however, does need to consider whether the positive intervention measures planned and existing enforcement regime to respond to the ASB is sufficient alone to effectively tackle the ASB in itself.

8. Public survey

8.1 110 respondents participated in the survey.

8.2 Of the 46 respondents who completed the question: *Have you experienced ASB in the locality of Hardway Green?* Yes 25 respondents and No 21 respondents

8.3 Of the 68 respondents who completed the question: *Whether the Draft PSPO would have a positive impact?* 51.47 % of respondents said positive impact and 26.47% no impact...

8.4 35 respondents stated the PSPO would have a negative impact. The comments included the following themes: *it would victimise children / youths when only a minority of youths are causing ASB; Prevent law abiding persons from going there; only lead to displacement*

9. Public survey analysis

9.1. The majority of respondents have said that the PSPO would have a positive impact.

9.2 The PSPO does not prohibit young people gathering in the locality and playing ball games. The PSPO only prohibits persons from engaging in conduct capable of causing alarm, harassment or distress.

10. Youth Council response

10.1 The youth council refer to the crime and anti-social behaviour statistics for the different localities of Gosport. They make the point that the ASB statistics for Hardway Green is no worse than in other areas in Gosport.

10.2 Only a minority of youths engage in the ASB. The council has the power to seek ASB injunctions to restrict the activities of the most persistent offenders. They fear

that if a PSPO is made it will have a negative impact on young people through stereotyping.

11. Risk Assessment

11.1 It is important that the council has the support of the police in introducing a PSPO.

11.2 Given that the police are not supportive of the PSPO it is likely that enforcement will fall on the council. Therefore it is essential that the council has the resources available to effectively enforce the Draft PSPO.

12. Conclusion

12.1 ASB is an issue at the Green in the summer months. Judging from the survey responses it is having a detrimental effect on residents.

12.2 The Community Board must have regard to the consultation responses in evaluating whether the current response to the ASB is effective in itself in reducing the detrimental impact of the activities on the quality of life of those in the locality.

12.3 When contemplating adopting the Draft PSPO the Board must have regard to the effect that it will have on those who will be mostly affected by the proposed restriction. It is worth bearing in mind that child services, the local education authority and schools did not respond to the consultation.

Financial Services comments:	
Legal Services comments:	Contained in the report
Crime and Disorder:	
Equality and Diversity:	The council undertook an Equality Impact Screening Assessment on the proposal to consult on the draft PSPO. It has following the end of the consultation process undertaken a full impact assessment should the Community Board be minded to adopt the Draft PSPO. No specific negative impacts of this proposal on any protected characteristics were identified from the answers to the survey questions
EIA:	Appendix 6
Service Improvement Plan implications:	
Corporate Plan:	
Risk Assessment:	

Background papers:	
Appendices/Enclosures:	
Appendix '1'	Draft PSPO
Appendix '2'	Police response
Appendix 3	Public Survey results report
Appendix 4	Petition and community impact survey results
Appendix 5	Youth council response
Report author/ Lead Officer:	Jamie Paterson Senior Solicitor

Section 59 The Anti-Social Behaviour, Crime and Policing Act 2014 (the “Act”)

The Borough of Gosport Town Centre Public Spaces Protection Order 2017

Gosport Borough Council (the “Council”) having been satisfied that the conditions set out at section 59 of the Act are met upon the following detrimental activities being carried on in the Restricted Area:

- *Foul and obscene language*
 - *Motorbikes/mopeds riding on footpaths and the green*
 - *Littering*
 - *Trespass*
 - *Damage to property*
 - *Intimidation*
 - *Verbal Abuse*
 - *Assault*
 - *Drug related issues*
- The Council hereby makes the following Public Spaces Protection Order for its area, which shall be in force between 1st April and 30th October in any year.

1. Interpretation

1.1 "Authorised Person" means a Council officer authorised by the chief executive of the Council or police constable or police community support officer, who must present their authority upon request;

1.2 "Public Place" means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission;

1.3 “Restricted Area” means any Public Place in the area shown edged black on the plan at **Schedule 1** to this order.

2. Restrictions

2.1. Two or more persons shall not congregate in the Restricted Area and engage in any conduct capable of causing or likely to cause harassment, alarm or distress to any reasonable member of the public.

2.2 No person who an Authorised Officer has reasonable grounds to suspect is in breach of 2.1

- (a) refuse or fail to disperse from a defined Public Place in the Restricted Area;
and
- (b) return to the defined Public Place in the Restricted Area within 12 hours of
being required to disperse

if required to do so by an Authorised Person.

3. Penalty

3.1 It is an offence contrary to section 67 of the Act for a person without reasonable excuse to fail to comply with the restrictions in paragraphs 2.1 or 2.2 above.. A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding £1,000.

This order shall expire in 2021.

[plan]

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HAMPSHIRE

CONSTABULARY

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Mr Jamie Paterson
Gosport Borough Council
Legal Services
Town Hall
High Street
Gosport
Hampshire
PO12 1EB

Our ref:
Your ref:

23rd February 2018 —

Dear Mr Paterson,

Consultation Response: Proposed PSPO for Hardway Green, Gosport

I have been passed the letter you sent on the 2nd February 2018 addressed to Chief Inspector Woolrich, in regard to consultation around a proposed PSPO for Hardway Green in Gosport.

This matter has been forwarded to me as head of the Local Policing Delivery Unit. This allows me to review it from a strategic perspective, ensuring consistency in the constabulary's response when councils wish to consult on proposals for Public Space Protection Orders.

As part of my review I have consulted with our legal department and have considered if a PSPO is a necessary and proportionate response to this issue of anti-social behaviour. I have also considered the restrictions that are suggested and the requirement and necessity for police officers to have these powers to effectively address the anti-social behaviour.

Home Office guidance gives clear direction around groups hanging around and playing games in open public spaces, the guidance also gives clear direction that before considering using legislation under the Anti-social behaviour, Crime and Policing Act 2014 that partnership work should take place to resolve the ongoing problems to find a long term solution. District Inspector Thompson has written to Gosport Borough Council outlining the further tactics and work that can take place to resolve this ongoing issue.

On reviewing correspondence between Inspector Thompson and Mr Lawther of Gosport Borough Council I note that there has been limited reports of anti-social



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behaviour in the area and of the ones reported the majority were in relation to ball games.

I have also considered what powers are already present to deal with any increase in anti-social behaviour. There is the public order act that allows officers to deal with any reports of harassment, alarm and distress and most importantly is Section 35 of the Anti-social behaviour, Crime and Policing Act 2014; this is a dispersal power that can exclude an individual for up to a period of 48 hours.

Section 35 requires the authority of a Police Inspector who has to record justification in relation to necessity and proportionality every time it is authorised. The Inspector authorising also has to consider the lawful rights of freedom of expression and freedom of assembly.

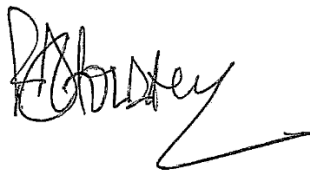
Taking all the above into account, on this occasion I do not consider a Public Space Protection Order necessary or proportionate at this time. I also do not feel that police officers require the suggested powers that are proposed, as they already have these under the Public Order Act and the Anti-social behaviour, Crime and Policing Act 2014.

On this occasion I have concerns that the suggested restriction in the proposed Public Space Protection Order of dispersing someone for 12 hours would conflict with the legislation and power under Section 35, which as I have highlighted above requires justification in relation to necessity and proportionality every time it is authorised. Considering the level of Anti-Social behaviour reported at Hardway Green I believe Section 35 of the Anti-social behaviour, Crime and Policing Act 2014 gives adequate powers to deal with the matter.

The local police neighbourhood team are focused with working together with Gosport Borough Council and other partners to deal with this long term anti-social behaviour issue.

The community are encouraged to call 101 and report matters of anti-social behaviour in the area so we have a clear picture of the level of concern and so we can utilise the adequate legislation available to us.

Yours sincerely



Patrick Holdaway
Chief Inspector 2141
Head of the Local Policing Delivery Unit



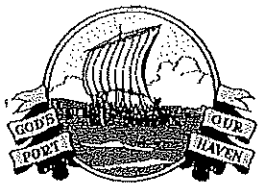
www.hampshire.police.uk

Deaf? Non-emergency text **07781 480999**

For crime and community information www.hampshirealert.co.uk

**HAMPSHIRE
ALERT**





GOSPORT

Borough Council

Hardway Residents Action Group
C/O J P Feltham Associates Ltd
PO Box 270
Gosport
PO12 9FH

By email to:
HardwayRAG@btinternet.com

Town Hall, High Street,
Gosport, Hampshire, PO12 1EB.
DX136567 Gosport 2

Website: www.gosport.gov.uk

Switchboard: (023) 9258 4242

Chief Executive: David Williams

Please ask for:

Michael Lawther

Direct dial:

(023) 9254 5202

E-mail:

Michael.lawther@gosport.gov.uk

9 October 2017

Dear Sir or Madam

Hardway Green PSPO petition

I have carefully considered the petition for a public spaces protection order (PSPO) for the Hardway Green area (the "Petition").

I am minded to refuse the Petition for the reasons below. I would like to offer you the opportunity to make any further representations or comments in response before I confirm my decision. This can be in writing, or email, or in person. I would be grateful if any representations or a request for meeting could be submitted by 16th October 2017.

1. The Petition

- 1.1 The Hardway memorial green is situated off Priory Road, Gosport and includes a small grassed area adjacent to a public slipway and public car park (the "Green"). The Green is owned by the Council and accessible by the public. There is a memorial to the D-Day landings situated on the Green and benches are installed around the perimeter.
- 1.2 On 29th August 2017 the Petition was received from Hardway Residents Action Group (the "Group") urging the Council to implement a PSPO for the Green to address anti-social behaviour (ASB). The Petition and covering letter is produced at Appendix 1.
- 1.3 The Petition was progressed online through the change.Org. website. The home page of the Petition is produced at Appendix 2.
- 1.4 The reasons for the Petition can be summarised as follows:
 - 1.4.1 *Local residents and users of the Green have suffered many years of anti-social behaviour (ASB) from young people congregating at the Green during the summer.*

1.4.2 The ASB this summer from 1 large group of youths has included:-

- *Foul and obscene language*
- *Motorbikes/mopeds riding on footpaths and the green*
- *Littering*
- *Trespass*
- *Damage to property*
- *Intimidation*
- *Verbal Abuse*
- *Assault*
- *Drug related issues*

1.4.3 The ASB is having detrimental effect on the quality of life of those in the locality, and these are likely to continue, albeit seasonally

1.4.4 The response by the Police and Council to address the ASB has not been effective

1.4.5 In June 2017 the Group was formed to highlight the problem to the authorities and seek action to effectively deal with the issues permanently

1.4.6 A PSPO will break the cycle of this annual problem, return this public area to the community and bring an end to the summer misery of local residents. It will force the authorities to focus on the problems in this area and seek a permanent resolution.

1.4.7 Sufficient evidence has been provided to the Council and Police to satisfy the legal threshold for a PSPO to be made.

2. ASB complaints

2.1 Community safety has provided a chronology of specific ASB complaints relating to activities on the Green reported to the police and council over past 12 months. The chronology is produced at Appendix 2.

2.2 There also have been concerns expressed by residents of young people dropping litter, using bad language. There has also been mention of and an older group drinking alcohol and smoking cannabis.

2.3 The identity of the complainants is not disclosed in the chronology. Some of the complaints have been made by a single resident, which have not been corroborated by other residents or the police or council enforcement officers.

2.4 The complaints fall into the following five categories

- Ball game nuisance (6 complaints)
- Vehicle related nuisance (1 complaint)
- Drug related nuisance (2 complaints)
- General anti-social behaviour (2 complaints)
- Assault (1 complaint)

3. Response to the ASB to date

3.1. Intervention

3.1.1 Y services are contracted by the Council to work with young people in the community engaging in anti-social behaviour in their communities. The aim is to challenge the behaviour and instill a respect for the community they live in. They regularly attend the Green and. have spoken to people who use the area.

3.1.2 Work was successfully undertaken with the younger group in relation to litter, noise and respect. The Green is noticeably tidier when the team visited on later sessions.

3.1.3 Young people were also spoken to in relation to swimming out to the jetties and advised they were trespassing if they went onto them. Risks to their own personal safety were also highlighted.

3.2 Police and Council patrols

3.2.1 The Green was made a Priority Patrol Area (PPA) meaning Neighbourhood Policing Team and other partners are regularly attending the location. Special Constables have assisted with high visibility patrols as part of the Summer ASB campaign.

3.2.2 A joint patrol has also been carried out with Y Services, the neighborhood police team and Bay House School to educate and identify young people who are committing ASB at this location.

3.2.3 Council Enforcement Officers have attended the Green in uniform and plain clothes to enforce issues in relation to litter, off street parking and boats attached to the pontoon.

4. Existing enforcement tools

4.1 Designated Public Places Order (DPPO)

4.1.1 There is currently a DPPO in place for the whole of Gosport Borough. DPPOs are due to expire on 20th October 2017 and will automatically become a PSPO.

4.1.2 Under the DPPO, and under the forthcoming PSPO, it is an offence, without reasonable excuse, to fail to comply with a request by an Officer to cease drinking or surrender alcohol. Under the PSPO an Officer includes a Police Officer and a Streetscene Enforcement Officer.

4.2 Dispersal order

4.2.1 Section 35 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) provides the Police with powers to disperse individuals for up to 48 hours in order to remove or reduce the likelihood of a person committing or likely to commit ASB, crime or disorder in a particular area. A police officer of inspector rank or above must authorise in writing the use of this dispersal power

4.3 ASBI and CBO

4.3.1 Where an individual commits persistent ASB the Police or Gosport Borough Council may also consider the proportionality of an ASB Injunction (ASBI) or if the individual is engaged in criminal activity a Criminal Behaviour Order (CBO).

4.3.2 If the court finds a person has breached a requirement or prohibition of an ASBI or CBO it has the power to imprison that person.

5. PSPO

5.1 The Act introduced PSPOs for use by councils and their partners to address anti-social behaviour (ASB) in their local areas.

5.2 The Act gives councils the authority to draft and implement PSPOs in response to the

particular ASB affecting their communities, provided that certain criteria and legal tests are met.

- 5.3 The Act provides for restrictions to be placed on behaviour that apply to everyone in that public area (with the possible use of exemptions).
- 5.4 Breach of a PSPO, without a reasonable excuse, is a criminal offence. The maximum penalty on conviction is a fine not exceeding £1,000. A fixed penalty of £100 within 14 days (or £50 in 7 days) can be offered as an alternative to prosecution, which if paid in full discharges a person's liability to criminal proceedings.
- 5.5 A PSPO is enforceable by council officers authorised by the chief executive or police constables or police community support officers.
- 5.6 The council may pursuant to section of the Anti-social Behaviour crime and policing Act 2014 (the "Act") make PSPO if satisfied on reasonable grounds that the following two conditions are met (the Legal Threshold").
 - 5.6.1 The first condition (First Condition) is that—
 - (a) Activities carried on in a public place within the council's area have had a detrimental effect on the quality of life of those in the locality, or
 - (b) It is likely that activities will be carried on in a public place within that area and those they will have such an effect.
 - 5.6.2 The second condition (Second Condition) is that the effect, or likely effect, of the activities—
 - (a) is, or is likely to be, of a persistent or continuing nature,
 - (b) is, or is likely to be, such as to make the activities unreasonable, and
 - (c) justifies the restrictions imposed by the notice.

6 Application of the Legal Threshold to ASB at the Green

6.1 Ball games

- 6.1.1 The issue appears to be the number of youths engaging in the activity. The perception from some residents is that the youths are effectively taking over the Green thus preventing them from using it.
 - 6.1.2 There have been problems with wayward balls hitting property and cars. However, there appears to be no evidence to suggest that the balls have been deliberately kicked or thrown at property.
 - 6.1.3 I accept the size of the Green and its proximity to cars and residential properties makes it unsuitable for ball games on this scale. There are plenty of other larger recreational areas or sports pitches in the Borough to accommodate these activities.
 - 6.1.4 I am satisfied that the First Condition is met.
 - 6.1.5 However a blanket ban on ball games thereby effectively criminalising any person from kicking or throwing a ball on the Green from a father and son to a dog walker is not reasonable. I am not satisfied that the Second Condition is met.
 - 6.1.6 The best approach it seems to me is for Council and its partner agencies to encourage young persons to use pitches and the larger recreation areas for this activity.
- 6.2 Drugs
 - 6.2.1 There have been two complaints of alleged drug use. Both were made on the same day and relate to youths smoking cannabis. There is no evidence to suggest any drug

paraphernalia such as used needles were deposited on the ground or that the youths behaved in an aggressive manner towards residents.

6.2.2 The single report of drug related activity appears to have occurred away from the Green so I have discounted it.

6.2.3 I am not satisfied this activity is having a detrimental effect on the community so the First Condition is not met.

6.2.4 I remind myself that it is an offence under the national criminal law for a person to possess or possess with intent to supply controlled drugs. The police should be notified if there is reason to believe a person may be engaging in drug related activity.

6.3 Vehicles

6.3.1 There is one complaint of youths riding motorcycles on the green and performing wheelies. There is the potential for a collision with a pedestrian

6.3.2 However it appears at this juncture to be an isolated incident so the First Condition is not met.

6.4 General ASB

6.4.1 There is a single complaint of youths gathering on the Green in numbers on bicycles. Loitering in itself is not anti-social behaviour.

6.4.2 There is a single complaint of youths engaging in rowdy behaviour by the slipway. The issue appears to have been noise nuisance and have been resolved by Y services intervention.

6.4.3 I am not satisfied that the conduct arising from the activities is having a detrimental effect on the quality of life of the community so the First Condition is not met.

6.4.4 I remind myself that the police have the power to issue a dispersal order where there is reason to believe that specific persons using the Green have engaged in criminality or anti-social behaviour such as harassment, verbal abuse.

6.5 Assault

6.5.1 There has been a report of youths intimidating and being verbally abusive to residents who they think may have signed the Petition. It is alleged that a resident may have been assaulted by one of the youths responsible.

6.5.2 The police are investigating the alleged assault so I have discounted this complaint for the purposes of assessing where the Legal Threshold is met for a PSPO.

7. **Conclusion**

7.1 At this time the Legal Threshold to make a PSPO restricting activities on the Green is not met. Therefore for the reasons above the Petition urging the Council to implement a PSPO for the Green is dismissed.

7.2 There have been a number of recorded complaints of anti-social behaviour.

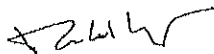
7.3 The Council, Police and partner agencies have been pro-active in working with residents to understand the complaints and how it has impacted on them. The agencies have engaged with the young people to instill respect for the rights of residents to enjoy the Green without fear of anti-social behaviour.

7.4 The Council and police have a number of existing enforcement tools that can be used to restrain specific individuals from engaging in anti-social behaviour.

8. **Reporting ASB Complaints**

- 8.1 Members of the public are advised to report ASB incidents using the Police 101 number or in an emergency to 999. Complainants should provide the following information; date and time of the incident, specific location, and description of people involved and details of any witnesses.
- 8.2 It is important that ASB incidents are reported in this way as it enables the Council and its partners to understand fully what is occurring at the location, to best direct partnership resources and identify suspects with a view to pursuing enforcement action.

Yours sincerely

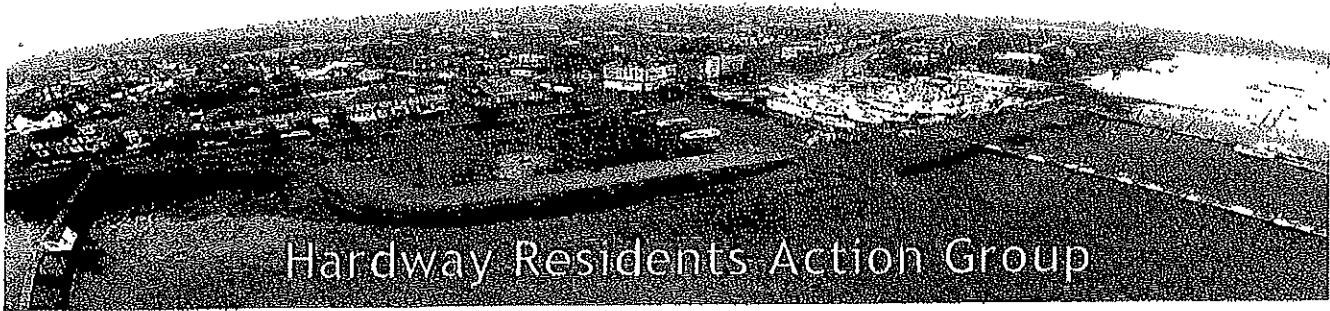


Michael Lawther
Borough Solicitor

Encs. Appendices

cc. Jamie Paterson
Sorrell Kenny
Cllr Roger Allen
Cllr Diane Furlong

Appendix 1



EMAIL: HardwayRAG@btinternet.com

28th August 2017

Dear Sirs

Please find attached a copy of the Change.org petition created by our Action Group seeking implementation of a public space protection order for Hardway Memorial Green in response to anti-social behaviour by a minority of people, primarily youths, accessing this area.

This area is a public space and as such under local authority responsibility and is also a D Day memorial area. It is our understanding that orders can be introduced in a specific public area where the local authority is satisfied on reasonable grounds that certain conditions have been met. We understand the first test of this to be:-

- 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

and that

- the effect or likely effect of these activities:
 - is, or is likely to be, persistent or continuing in nature, or is likely to be, unreasonable
 - justifies the restrictions being imposed.

We believe sufficient evidence has been provided to our local Councillor, Roger Allen and Hampshire Police regarding the pattern of unreasonable behaviour, and this petition provides you with an indication of the strength of feeling in our community. Over 360 signatures have been gathered with very little publicity of the issues as we choose not to shine a light on the nuisance and ASB in our community in the press.

We are seeking the PSPO for a 3 year period to break a pattern of ASB which our community has suffered which residents and users of the green believe has not seen an effective response from the authorities. It is only in the last week that available powers have been utilised in the form of a Dispersal Order to deal with specific individuals responsible for causing harm. We are urging Gosport Borough Council and partner agencies to take a proactive approach to preventing behaviour reaching this level again in the future.

We understand that Gosport Borough Council are considering a borough wide PSPO linked to homelessness, drug use and general ASB. A major concern with this strategy, if indeed that is the plan, is that the Hardway area will fall low down the priority list for enforcement in the event of a breach with focus on Ferry Gardens and town centre area. Should this be your chosen solution, as stakeholders we would like to know how our area will be monitored, who is responsible for enforcement and how the rights of the community to enjoy Hardway public spaces without ASB will be protected or enforced.

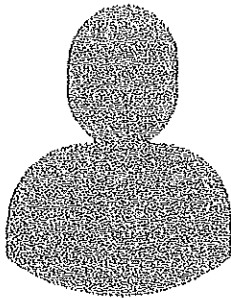


The next meeting of Hardway Residents Action Group is due to be held at Hardway Sailing Club on Monday 11th September at 7pm. Local councillors and Hampshire Police have been contacted and we would welcome any representatives of Gosport Borough Council who are able to attend and provide an update to the community on our petition for a PSPO or Council plans to deal with ASB in our community in the longer term.

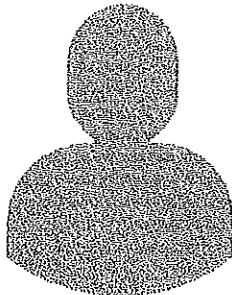
We would be most grateful if you would acknowledge receipt of this letter and petition via our EMAIL:
HardwayRAG@btinternet.com.

Many thanks

Hardway Residents Action Group

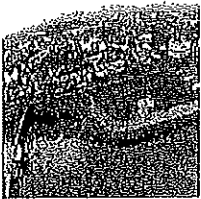


Councillor Roger Allen
Hardway Councillor



Councillor Diane Furlong
Hardway Councillor

Hardway Green Public Space Protection Order

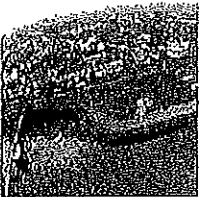


Hardway RAG



343

343 have signed. Let's get to 500.



Hardway RAG

This petition is to urge Gosport Borough Council to implement a PSPO at Hardway Green area to deal with the seasonal anti-social behaviour.

Local residents and users of the Hardway Green have suffered many years of anti-social behaviour from young people congregating at Hardway Green during the summer. Gosport Police have had their resources cut and due to the unpredictable nature of the problem (i.e. when the sun shines!) have not been able to prioritise dealing with the problem.

Gosport Council have for years ignored this area of the town and the problems that occur. In June 2017 a residents action group was formed and came together to highlight the problem to the authorities and seek action to effectively deal with the issues permanently. Details Here: [The Hardway RAG](#)

Because there are no boundaries set around the behaviour of these young people this area is out of bounds for the majority of the community during warm summer weather. Additionally we fear that one day soon a young person will be seriously injured in the harbour water off the green because of the authorities failure to take effective action.

Public Spaces Protection Orders (PSPOs), introduced in 2014, sit amongst a broad range of powers and tools to help tackle anti-social behaviour locally. PSPOs are aimed at ensuring public spaces can be enjoyed free from anti-social behaviour.

Activities that have taken place at Hardway Green have had a detrimental effect on the quality of life of those in the locality, and these are likely to continue, albeit seasonally.

We believe a public space protection order (PSPO) will force the authorities to focus on the problems in this area and seek a permanent resolution. A PSPO lasting up to 3 years will break the cycle of this annual problem, return this public area to the community and bring an end to the summer misery of local residents.

This petition will be delivered to:

- Gosport Borough Council
- Hardway Councillor
Councillor Roger Allen
- Hardway Councillor
Councillor Diane Furlong

[Read the letter](#)

Letter to
Gosport Borough Council
Hardway Councillor Councillor Roger Allen
Hardway Councillor Councillor Diane Furlong

Hardway Green Public Space Protection Order

[OK](#)

• [ASB](#)

• [pspo](#)

Hardway RAG started this petition with a single signature, and now has 363 supporters. Start a petition today to change something you care about.

[Start a petition](#)

Updates

1. 1 month ago
Petition update
-

[Petition Delivered](#)



HOME

About Us

Community News & Events

Not Anti Children Just Anti Yobs

September 7, 2017

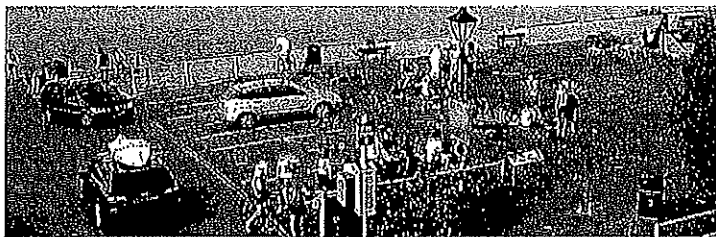
There have been some comments made recently on social media that Hardway RAG is anti-children © 2017 The Residents of Gosport Hardway. We are not anti-children, we are anti-yobs. We want to address that myth.

Young people and children who wish to enjoy the space are welcome.....
Yobs and those intent on making this area impossible for other people to enjoy are not.
The antisocial behaviour this summer from 1 large group of youths has included:-

- Foul and obscene language
- Motorbikes/mopeds riding on footpaths and the green
- Littering
- Trespass
- Damage to property
- Intimidation
- Verbal Abuse
- Assault

Other issues in our community from persons unknown include:-
Drug related issues

Our community should not be expected to endure and tolerate this kind of behaviour, particularly when many of this group do not even reside locally. There are many children and young people that use this area and this community do not want to stop their enjoyment, this was demonstrated when the dispersal order was in place - the only ones stopped from using the area were those engaging in anti-social behaviour.



We could have named and shamed on social media but have instead tried to work with the authorities to find a long term solution to this problem as there has been a pattern in recent years where younger groups learn their future behaviour from those that go before them - we need to break this cycle and make Hardway Memorial green and surrounding areas a safe community space.

Those that come here specifically to engage in anti-social behaviour need to know that this will not be tolerated any longer by Hardway Residents and visitors to this area.

Tags: Memorial Green Hardway ASB

Share on Facebook

Share on Twitter



1 Comment

Sort by: Oldest



Add a comment...



Howard Veronica Beane · Kingston Technical College, Kingston, Surrey, UK.
Well said.

Like · Reply · Sep 7, 2017 7:23am

Facebook Comments Plugin

Hardway Area Photos

Featured Posts



Petition Submitted
August 29, 2017

Recent Posts



Looking after the Green

September 20, 2017



Update on PSPO Petition

September 14, 2017



Community Update

September 12, 2017



Not Anti Children Just Anti Yobs

September 7, 2017



Petition Submitted

August 29, 2017



Dispersed

August 25, 2017



Section 35 Dispersal Order

August 22, 2017



Log it, Sign It

August 14, 2017



Community BBQ on the Green

July 31, 2017



We want a Public Space Protection Order

July 30, 2017

Archive

September 2017 (4)

August 2017 (4)

July 2017 (11)

June 2017 (1)

Search By Tags

ASB Gosport Hampshire Police
Hardway Memorial Green

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APPENDIX 3 - Hardway ASB Reports

16/08/2017 22:45 Email from a resident to various recipients. Email stating that this evening young people were gathered in Priory Road outside a house being verbally abusive, intimidating and asking if residents had signed a petition (PSPO petition). One resident had their door kicked and was physically assaulted when asking them to leave his drive. Police were called and attended taking statements from residents.

10/08/2017 16:58 Resident in Priory Road reporting a large group of approx. 20 young people hanging around Priory Road for the last hour. Report states the group is being loud and rolling over parked car and sitting on residents walls. Report forwarded to Y Services Detached Team.

01/08/2017 18:05 Resident in Priory Road reporting 15 young people on the green opposite his house playing football and kicking the ball against railings and into his front garden. Report forwarded to Y Services Detached Team.

31/07/2017 19:02 Resident in Priory Road reporting approx. 20 young people on bikes opposite his house. Report forwarded to Y Services Detached Team.

19/07/2017 19:48 Resident in Vanguard Road reporting that she has seen two drug deals in the car park for the Jolly Roger Public House in the past week. Report forwarded to Y Services Detached Team.

18/07/2017 17:17 Resident in Priory Road reporting 15 males playing rugby on the green opposite her house which has hit parked cars. Report forwarded to Y Services Detached Team.

17/07/2017 18:55 Resident in Priory Road reporting approx. 22 young people playing football on the green opposite her house and kicking the ball into the road. They have left their bikes on the pavement causing an obstruction. Report forwarded to Y Services Detached Team.

06/07/2017 14:35 Resident in Bucklers Road reported seeing two young males smoking a 'bong' in Priory Road. Report forwarded to Y Services Detached Team.

06/07/2017 14:32 Resident in St Thomas's Road reported seeing two males smoking cannabis from a 'bong' on the green area in Priory Road. Report forwarded to Y Services Detached Team.

30/06/2017 14:24 Resident in Priory Road reporting two motorcyclists riding around on the footpath by the War Memorial in Priory Road. The report states they were 'pulling wheelies'. Report forwarded to Y Services Detached Team.

26/06/2017 16:12 Staff member at Gosport Boat Yard reporting approx. 25 young people on the jetty shouting and screaming and running around the jetty and into the water. Report forwarded to Y Services Detached Team.

12/09/2016 17:22 Resident in Priory Road reporting a group of approx. 10 young males on the green opposite kicking a rugby ball up high which is coming down and hitting cars and people's property. Report forwarded to Y Services Detached Team.

08/09/2016 19:58 Resident in Priory Road reporting a group of approx. 28 young people throwing a rugby ball around and goading her husband into going outside. The report states they have damaged some fencing and a neighbour's car. Report forwarded to Y Services Detached Team.

Proposed Hardway memorial green Public Space Protection Order (PSPO) 2018

SUMMARY → DESIGN SURVEY → COLLECT RESPONSES → ANALYZE RESULTS

CURRENT VIEW

+ FILTER

+ COMPARE

+ SHOW

Filter or segment your data.

Filter by Question and Answer

Filter by Collector

Filter by Completeness

Filter by Time Period

Filter by Respondent Metadata

Filter by A/B Test

CANCEL

SAVED VIEWS (1)

EXPORTS

SHARED DATA

RESPONDENTS: 110 of 110

QUESTION SUMMARIES

DATA TRENDS

INDIVIDUAL RESPONSES

All Pages

Page 2: Section 1 - About you

Q1

Customize

Are you responding to this consultation as: (please select all that apply)

Answered: 110 Skipped: 0

A local resident who lives in Hardway

A person who works in Hardway

Local Business owner/Manager

Visitor to Hardway (eg a shopper, on business, tourist, see friends)

Representative of a local community group

Other (please specify)

41.82%

3.64%

0.91%

40.00%

5.45%

14.55%

ANSWER CHOICES

RESPONSES

A local resident who lives in Hardway

A person who works in Hardway

Local Business owner/Manager

Visitor to Hardway (eg a shopper, on business, tourist, see friends)

Representative of a local community group

Other (please specify)

41.82%

3.64%

0.91%

40.00%

5.45%

14.55%

Total Respondents: 110

Q2

Have you experienced ASB in the locality of Hardway memorial green

Answered: 110 Skipped: 0

RESPONSES (110) TEXT ANALYSIS MY CATEGORIES (0)

Categories shown

Filter by Category

Search responses

Showing 110 responses

No

Yes - 25
No - 21
Don't know 39

https://www.surveymonkey.com/analyze/fX5I7qcBofPHHYZsnVI23yKvCEfZGpv5... 05/03/2018

2/28/2018 7:41 PM	View respondent's answers	C
no		
2/28/2018 11:12 AM	View respondent's answers	Cate
No		
2/28/2018 9:32 AM	View respondent's answers	Cate
No		
2/27/2018 5:50 PM	View respondent's answers	Cate
No		

Page 3: SECTION 2 – Anti Social Behaviour

Q3

If you answered yes to question 2 please share with us the location of the incident, the nature of the ASB and how it has impacted you

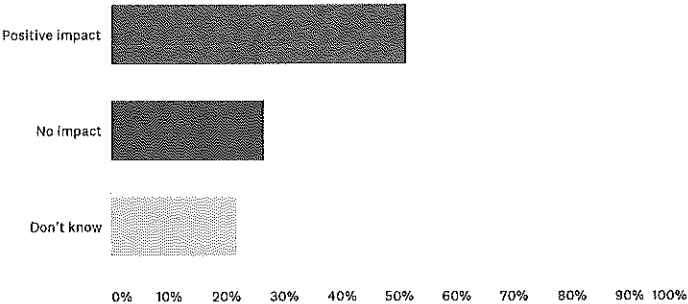
Answered: 30 Skipped: 80

ANSWER CHOICES	RESPONSES
Location of the incident (street/park name)	Responses 100.00%
nature of the ASB and its Impact on you	Responses 83.33%

Q4

Overall, what impact do you think having the PSPO in place will have on the area?

Answered: 68 Skipped: 42



ANSWER CHOICES	RESPONSES
Positive impact	51.47%
No impact	26.47%
Don't know	22.06%
TOTAL	

Q5

Please let us know if you think the PSPO will have a positive impact on the area

Answered: 43 Skipped: 67

RESPONSES (43) TEXT ANALYSIS MY CATEGORIES (0)

[Categorize as...](#)
[Filter by Category](#)

Showing 43 responses

No you will victimise kids whilst adults will do as they please	2/27/2018 5:52 PM	View respondent's answers	Cate
something has to be done so yes positive impact	2/22/2018 10:10 PM	View respondent's answers	Cate
If enforced, it think it will have a very positive impact.	2/21/2018 1:14 PM	View respondent's answers	Cate
This will help break the annual cycle of ASB that begins with lighter evenings and better weather	2/19/2018 10:36 AM	View respondent's answers	Cate
Yes	2/16/2018 10:28 PM	View respondent's answers	Cate
Yes it needs this otherwise it will get worse but it also needs police patrolling car or motor bike			

Q6

Please let us know if you think the PSPO will have a negative impact

Answered: 35 Skipped: 75

[RESPONSES \(35\)](#)
[TEXT ANALYSIS](#)
[MY CATEGORIES \(0\)](#)

[Categorize as...](#)
[Filter by Category](#)

[Search responses](#)

Showing 35 responses

It will, of course wmt are victimising and harassing a certain bid group	2/27/2018 5:52 PM	View respondent's answers	Cate
This is an open space for all people of Gosport residents including the younger generation. This will only show the young generation that if a resident does not like what is going on they can have them moved on, pushing the problems somewhat resolving it.	2/27/2018 4:20 PM	View respondent's answers	Cate
No	2/16/2018 10:28 PM	View respondent's answers	Cate
no	2/16/2018 11:43 AM	View respondent's answers	Cate
The only possible negative impact I think it could have is just move the people causing this to another area within the area	2/16/2018 7:36 AM	View respondent's answers	Cate

Page 4: SECTION 3 – Area for the PSPO

Q7

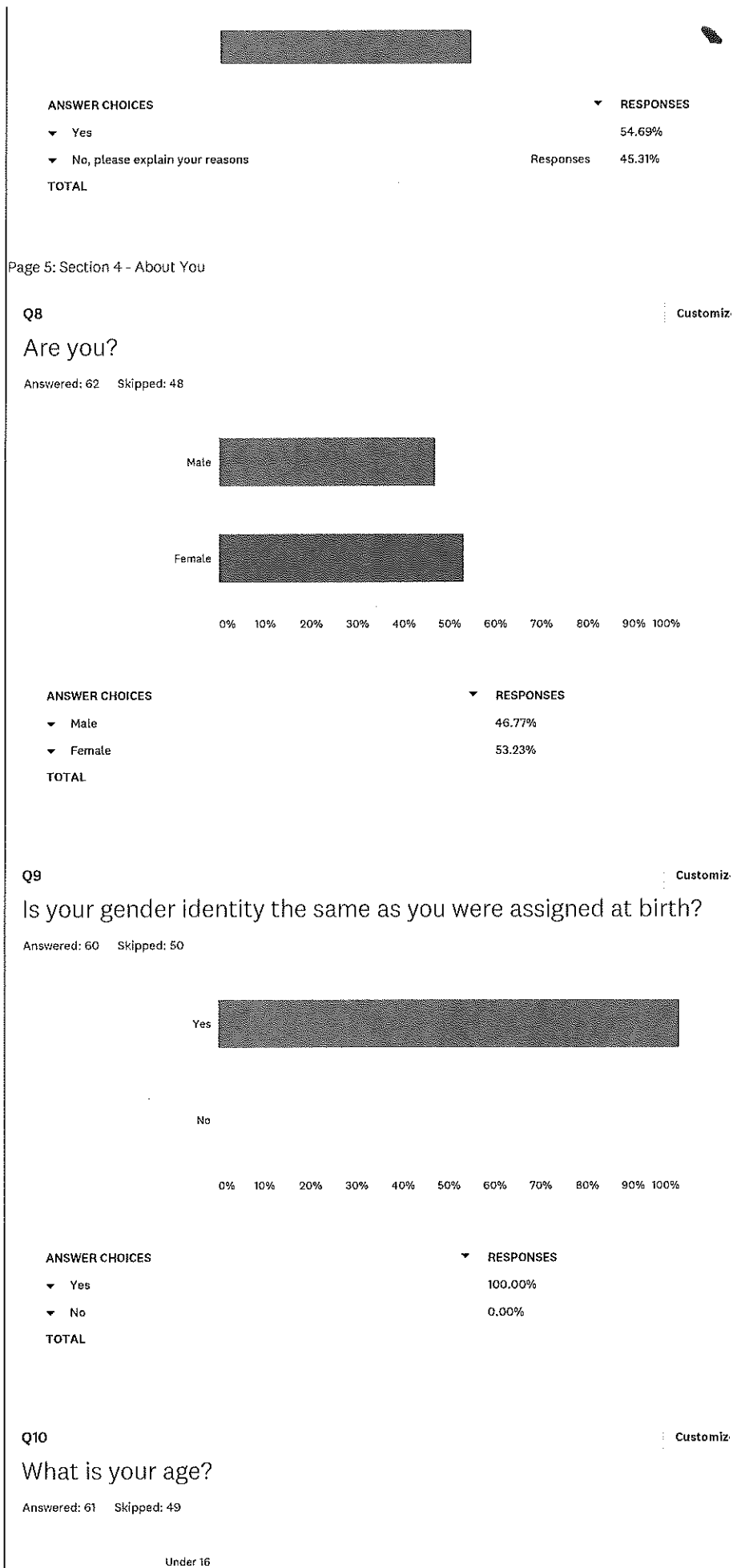
[Customize](#)

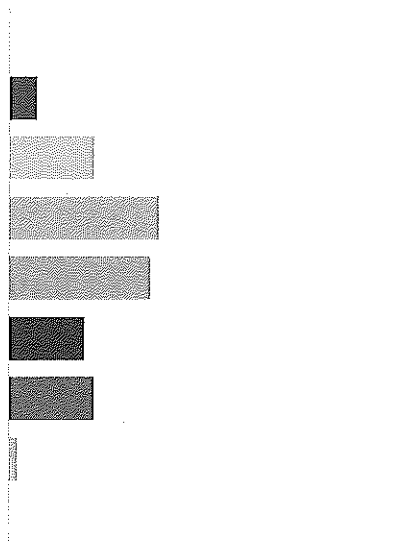
Do you think the PSPO should only apply to Hardway memorial and places in the area edged black on the plan below

Answered: 64 Skipped: 46

Yes

No, please explain your...





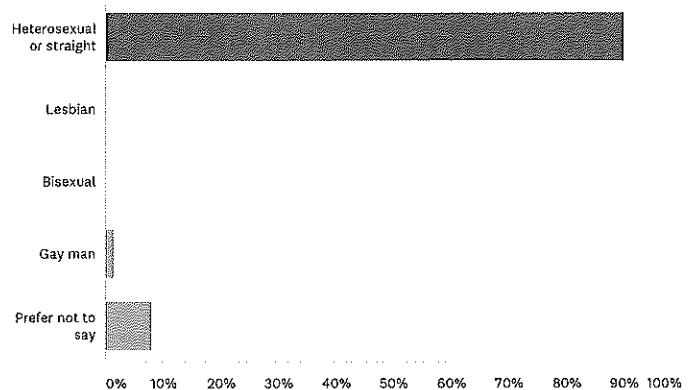
ANSWER CHOICES	RESPONSES
Under 16	0.00%
16-24	4.92%
25-34	14.75%
35-44	26.23%
45-54	24.59%
55-64	13.11%
65-74	14.75%
75-84	1.64%
85 or over	0.00%
TOTAL	

Q11

Customize

How would you describe yourself?

Answered: 61 Skipped: 49



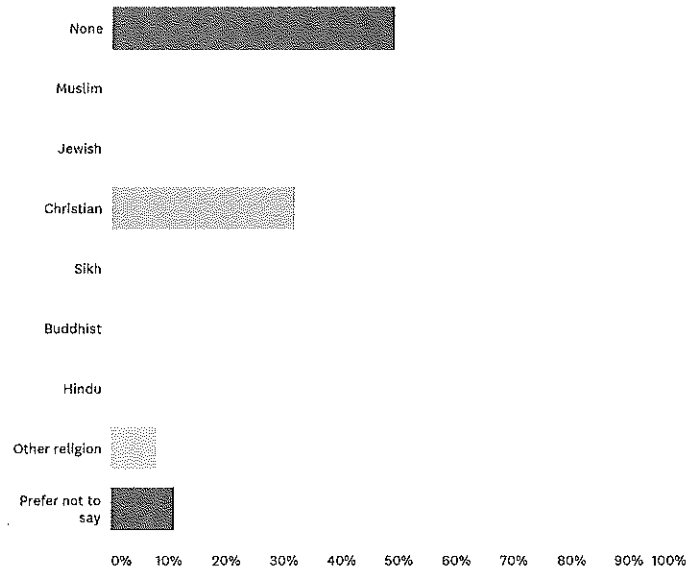
ANSWER CHOICES	RESPONSES
Heterosexual or straight	90.16%
Lesbian	0.00%
Bisexual	0.00%
Gay man	1.64%
Prefer not to say	8.20%
TOTAL	

Q12

Customiz

Which group do you most identify with?

Answered: 63 Skipped: 47



ANSWER CHOICES

RESPONSES

▼ None	49.21%
▼ Muslim	0.00%
▼ Jewish	0.00%
▼ Christian	31.75%
▼ Sikh	0.00%
▼ Buddhist	0.00%
▼ Hindu	0.00%
▼ Other religion	7.94%
▼ Prefer not to say	11.11%

TOTAL

Q13

Customiz

To which of these groups do you consider you belong?

Answered: 63 Skipped: 47

Prefer not to say

White - British

White - Irish

White - Gypsy or Irish...

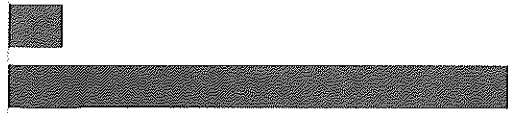
Any other White...

Mixed/Multiple ethnic group...

Mixed/Multiple ethnic group...

Mixed/Multiple ethnic group...

Mixed/Multiple ethnic group...



ANSWER CHOICES	RESPONSE
▼ Prefer not to say	9.52%
▼ White - British	87.30%
▼ White - Irish	0.00%
▼ White - Gypsy or Irish Traveller	1.59%
▼ Any other White background	0.00%
▼ Mixed/Multiple ethnic groups - White and Black African	0.00%
▼ Mixed/Multiple ethnic groups - White and Black Caribbean	0.00%
▼ Mixed/Multiple ethnic groups - White and Asian	0.00%
▼ Mixed/Multiple ethnic groups - Any other multi mixed background	0.00%
▼ Asian or Asian British - Pakistani	0.00%
▼ Asian or Asian British - Indian	0.00%
▼ Asian or Asian British - Bangladeshi	0.00%
▼ Asian or Asian British - Chinese	0.00%
▼ Asian or Asian British - Any other Asian background	0.00%
▼ Black/African/Caribbean/Black British - African	0.00%
▼ Black/African/Caribbean/Black British - Caribbean	0.00%
▼ Black/African/Caribbean/Black British - Any other Black background	0.00%
▼ Other Ethnic Group - Arab	0.00%
▼ Other Ethnic Group - Other	0.00%
▼ Other (please specify)	Responses 1.59%
TOTAL	

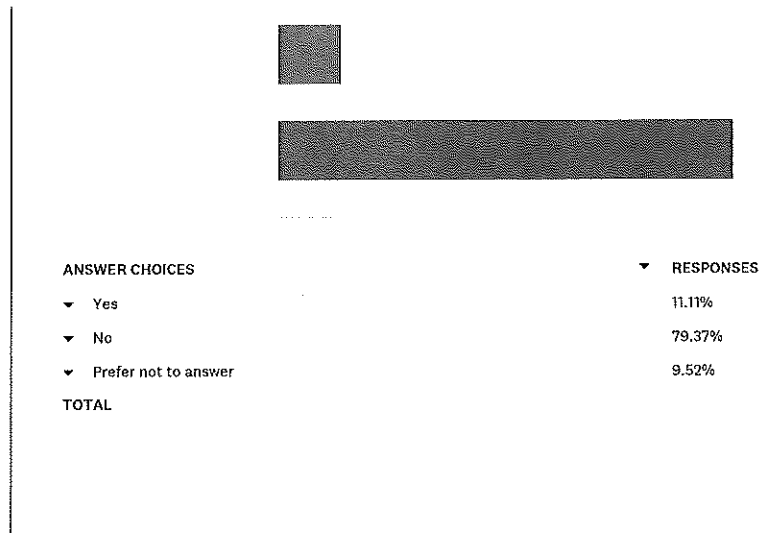
Q14

Customiz

The Equality Act 2010 defines a disability as a physical or mental impairment which has a substantial and long term effect on a person's ability to carry out normal day to day activities. Do you consider yourself to be a disabled person?

Answered: 63 Skipped: 47

Yes



ENGLISH

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McAfee
SECURE

Proposed Hardway memorial green Public Space Protection Order (PSPO) 2018

SUMMARY → DESIGN SURVEY → COLLECT RESPONSES → ANALYZE RESULTS

CURRENT VIEW

+ FILTER+ COMPARE+ SHOW

Filter or segment your data.

Filter by Question and Answer

Filter by Collector

Filter by Completeness

Filter by Time Period

Filter by Respondent Metadata

Filter by A/B Test

CANCEL

SAVED VIEWS (1)

EXPORTS

SHARED DATA

RESPONDENTS: 110 of 110

QUESTION SUMMARIESDATA TRENDSENDIVIDUAL RESPONSES

All Pages▼

Page 2: Section 1 - About you

Q1

Customize

Are you responding to this consultation as: (please select all that

Answered: 110Skipped: 0

A local resident who...

A person who works in...

Local Business owner/Manager

Visitor to Hardway (eg ...

Representative of a local...

Other (please specify)

0%10%20%30%40%50%60%70%80%90%100%

ANSWER CHOICES

▼A local resident who lives in Hardway

▼A person who works in Hardway

▼Local Business owner/Manager

▼Visitor to Hardway (eg a shopper, on business, tourist, see friends)

▼Representative of a local community group

▼Other (please specify)

RESPONS

41.82%

3.64%

0.91%

40.00%

5.45%

14.55%

Total Respondents: 110

Q2

Have you experienced ASB in the locality of Hardway memorial gr

Answered: 110 Skipped: 0

RESPONSES (110)TEXT ANALYSISMY CATEGORIES (0)

Categories

Filter by Category

Search responses

Showing 110 responses

No

Yes - 25
No - 21
Don't know 39

https://www.surveymonkey.com/analyze/fX5I7qcBofPHHYZsnVI23yKvCEFZGpv5... 05/03/2018

2/28/2018 7:41 PM	View respondent's answers	C
no		
2/28/2018 11:12 AM	View respondent's answers	Cate
No		
2/28/2018 9:32 AM	View respondent's answers	Cate
No		
2/27/2018 5:50 PM	View respondent's answers	Cate
No		

Page 3: SECTION 2 – Anti Social Behaviour

Q3

If you answered yes to question 2 please share with us the location of the incident, the nature of the ASB and how it has impacted you

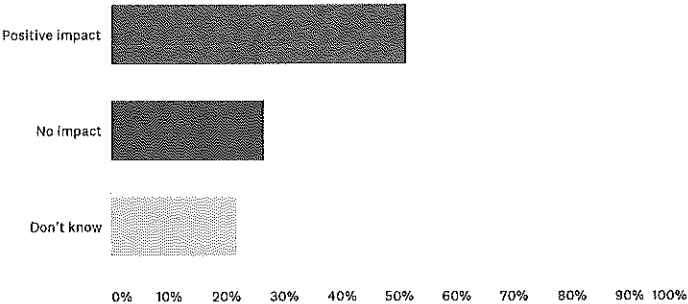
Answered: 30 Skipped: 80

ANSWER CHOICES	RESPONSES
Location of the incident (street/park name)	Responses 100.00%
nature of the ASB and its Impact on you	Responses 83.33%

Q4

Overall, what impact do you think having the PSPO in place will have on the community?

Answered: 68 Skipped: 42



ANSWER CHOICES	RESPONSES
Positive impact	51.47%
No impact	26.47%
Don't know	22.06%
TOTAL	

Q5

Please let us know if you think the PSPO will have a positive impact on the community?

Answered: 43 Skipped: 67

RESPONSES (43) TEXT ANALYSIS MY CATEGORIES (0)

[Categorize as...](#)
[Filter by Category](#)

Showing 43 responses

No you will victimise kids whilst adults will do as they please	2/27/2018 5:52 PM	View respondent's answers	Cate
something has to be done so yes positive impact	2/22/2018 10:10 PM	View respondent's answers	Cate
If enforced, it think it will have a very positive impact.	2/21/2018 1:14 PM	View respondent's answers	Cate
This will help break the annual cycle of ASB that begins with lighter evenings and better weather	2/19/2018 10:36 AM	View respondent's answers	Cate
Yes	2/16/2018 10:28 PM	View respondent's answers	Cate
Yes it needs this otherwise it will get worse but it also needs police patrolling car or motor bike			

Q6

Please let us know if you think the PSPO will have a negative impact

Answered: 35 Skipped: 75

[RESPONSES \(35\)](#)
[TEXT ANALYSIS](#)
[MY CATEGORIES \(0\)](#)

[Categorize as...](#)
[Filter by Category](#)

[Search responses](#)

Showing 35 responses

It will, of course wmt are victimising and harassing a certain bid group	2/27/2018 5:52 PM	View respondent's answers	Cate
This is an open space for all people of Gosport residents including the younger generation. This will only show the young generation that if a resident does not like what is going on they can have them moved on, pushing the problems somewhat resolving it.	2/27/2018 4:20 PM	View respondent's answers	Cate
No	2/16/2018 10:28 PM	View respondent's answers	Cate
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The only possible negative impact I think it could have is just move the people causing this to another area within the area	2/16/2018 7:36 AM	View respondent's answers	Cate

Page 4: SECTION 3 – Area for the PSPO

Q7

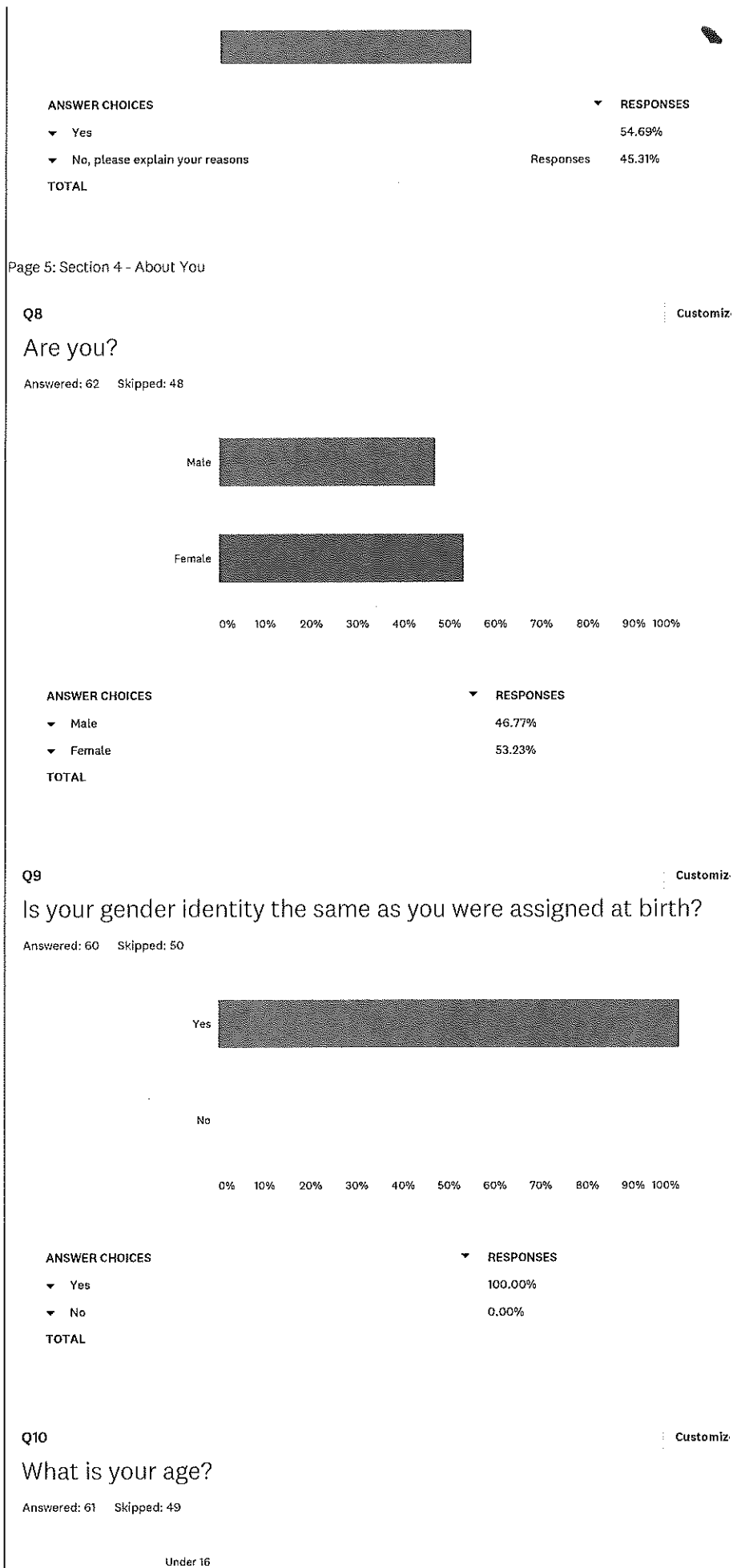
[Customize](#)

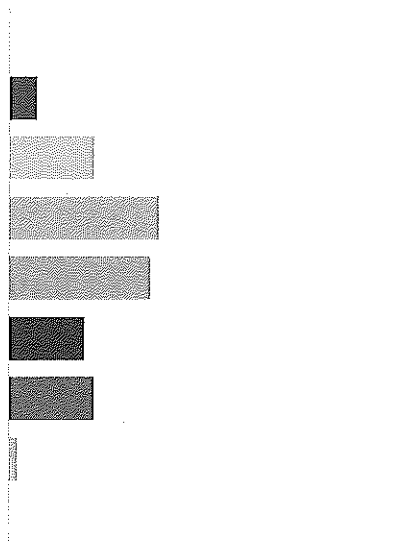
Do you think the PSPO should only apply to Hardway memorial and places in the area edged black on the plan below

Answered: 64 Skipped: 46

Yes

No, please explain your...





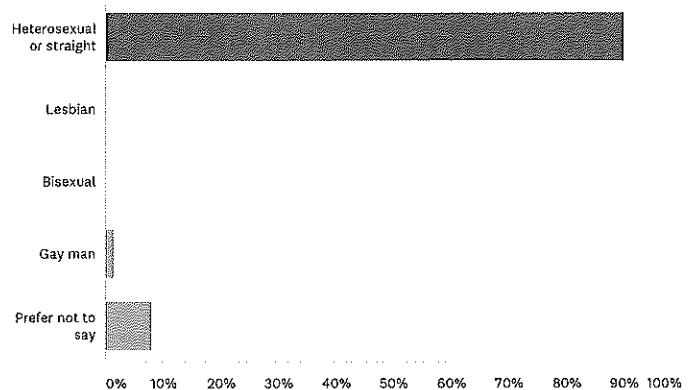
ANSWER CHOICES	RESPONSES
Under 16	0.00%
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45-54	24.59%
55-64	13.11%
65-74	14.75%
75-84	1.64%
85 or over	0.00%
TOTAL	

Q11

Customize

How would you describe yourself?

Answered: 61 Skipped: 49



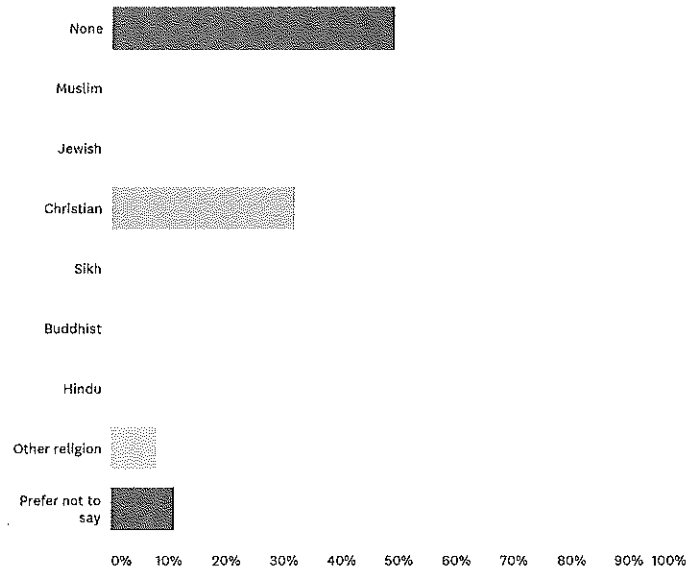
ANSWER CHOICES	RESPONSES
Heterosexual or straight	90.16%
Lesbian	0.00%
Bisexual	0.00%
Gay man	1.64%
Prefer not to say	8.20%
TOTAL	

Q12

Customiz

Which group do you most identify with?

Answered: 63 Skipped: 47



ANSWER CHOICES

RESPONSES

▼ None	49.21%
▼ Muslim	0.00%
▼ Jewish	0.00%
▼ Christian	31.75%
▼ Sikh	0.00%
▼ Buddhist	0.00%
▼ Hindu	0.00%
▼ Other religion	7.94%
▼ Prefer not to say	11.11%

TOTAL

Q13

Customiz

To which of these groups do you consider you belong?

Answered: 63 Skipped: 47

Prefer not to say

White - British

White - Irish

White - Gypsy or Irish...

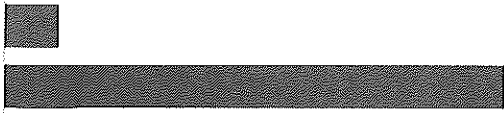
Any other White...

Mixed/Multiple ethnic group...

Mixed/Multiple ethnic group...

Mixed/Multiple ethnic group...

Mixed/Multiple ethnic group...



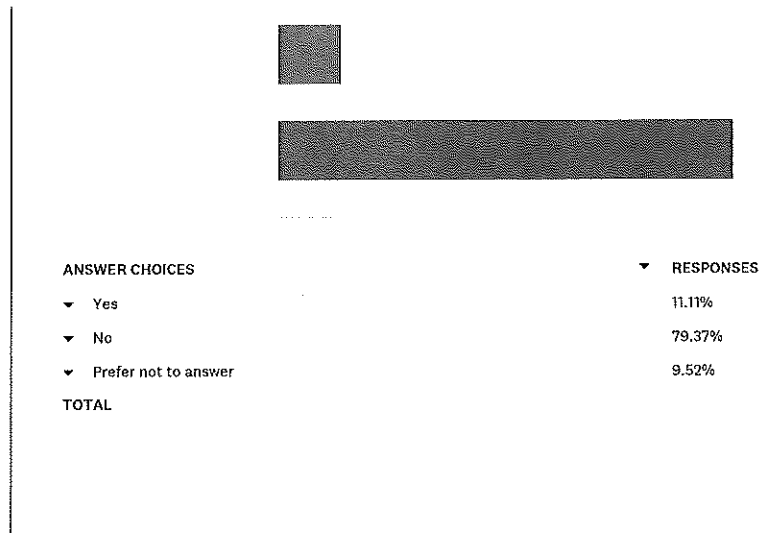
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▼ Mixed/Multiple ethnic groups - White and Black African	0.00%
▼ Mixed/Multiple ethnic groups - White and Black Caribbean	0.00%
▼ Mixed/Multiple ethnic groups - White and Asian	0.00%
▼ Mixed/Multiple ethnic groups - Any other multi mixed background	0.00%
▼ Asian or Asian British - Pakistani	0.00%
▼ Asian or Asian British - Indian	0.00%
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▼ Other Ethnic Group - Other	0.00%
▼ Other (please specify)	Responses 1.59%
TOTAL	

Q14 Customize

The Equality Act 2010 defines a disability as a physical or mental impairment which has a substantial and long term effect on a person's ability to carry out normal day to day activities. Do you consider yourself to be a disabled person?

Answered: 63 Skipped: 47

Yes



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Gosport Borough Council
Anti-Social Behaviour Impact Survey

All completed questionnaires can remain anonymous

A About You

1. Are you responding to this survey as (please select * all that apply)

- ☒ A local resident who lives in Gosport
- ☐ A person who works in Gosport
- ☐ Local Business owner/Manager
- ☐ Visitor to Gosport (eg a shopper, on business, tourist)
- ☐ Representative of a local community group
- ☐ Other (please specify)

2. Please let us know the locality of your property such as the road or street name so we are able to map responses:

B Anti-Social Behaviour (ASB)

3. In the past 12 months have you been affected by ASB in Hardway Green and the immediate locality.

- ☒ Yes ☐ No ☐ Don't know ☐ Prefer not to say

4. If you answered yes to question 3 please advise What was the nature of the ASB and how often has it occurred in the past 12 months

WE HAVE ENDURED 35 YEARS OF MISERY DUE ^{TO} ASB ON THE GREEN. THERE HAS BEEN PERSISTENT FOUL LANGUAGE, COUPLES HAVING SEX ON THE SEATS, LATE NIGHT NOISE, MOPEDS ROARING AROUND ON THE GREEN, YOUTHS URINATING IN A PUBLIC SPACE, VANDALISM, LITTER, EVIDENCE OF DRUG USE AND TRAFFICKING. THE LOCATION OF THE INCIDENT INTIMIDATING GANGS OF YOUTHS ALWAYS PRESENT.
PO12 HLC

How the ASB has impacted on you

WE CAN'T USE THE OPEN SPACE DUE TO THE ASB. I HAVE AN AUTISTIC SON WHO IS TERRIFIED OF THESE YOUTHS. I DON'T INVITE MY ELDERLY PARENTS TO OUR HOUSE DURING THE SUMMER MONTHS.

If you are happy to send your response via EMAIL please send to:

HardwayRAG@btinternet.com

Alternatively they can be sent direct to: jamie.paterson@gosport.gov.uk

Otherwise please print off, complete and deliver to Hardway RAG, c/o 132 Priory Road (Opposite Green) or 126 Priory Road (Moby House). Hardway RAG will collate responses and deliver to Gosport Borough Council officers.

Gosport Borough Council
Anti-Social Behaviour Impact Survey

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A About You

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- ☐ Local Business owner/Manager
- ☐ Visitor to Gosport (eg a shopper, on business, tourist)
- ☐ Representative of a local community group
- ☐ Other (please specify)

2. Please let us know the locality of your property such as the road or street name so we are able to map responses:

[Redacted]

B Anti-Social Behaviour (ASB)

3. In the past 12 months have you been affected by ASB in Hardway Green and the immediate locality.

- ☒ Yes ☐ No ☐ Don't know ☐ Prefer not to say

4. If you answered yes to question 3 please advise What was the nature of the ASB and how often has it occurred in the past 12 months

Large numbers of teenagers congregating in the street,
abusive to local residents. Glass and litter left in the road
and on the green.

The location of the incident

Hardway green, and surrounding streets.

How the ASB has impacted on you

Stressful to live here in the summer. Not a pleasant
place to live and can be intimidating.

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**Gosport Borough Council
Anti-Social Behaviour Impact Survey**

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A About You

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- ☐ A person who works in Gosport
- ☐ Local Business owner/Manager
- ☐ Visitor to Gosport (eg a shopper, on business, tourist)
- ☐ Representative of a local community group
- ☐ Other (please specify)

2. Please let us know the locality of your property such as the road or street name so we are able to map responses:

.....

B Anti-Social Behaviour (ASB)

3. In the past 12 months have you been affected by ASB in Hardway Green and the immediate locality.

- ☒ Yes ☐ No ☐ Don't know ☐ Prefer not to say

4. If you answered yes to question 3 please advise What was the nature of the ASB and how often has it occurred in the past 12 months

PEOPLE (ADULTS) USING THE
GREEN FOR PICNICS (FOOD DRINK)
TEENAGERS USING VILE LANGUAGE

The location of the incident

THE GREEN BY SAILING CLUB

How the ASB has impacted on you

THE IMPACT HAS BEEN NOT.
TAKING MY GRANDDAUGHTER ANYWHERE
NEAR THE GREEN

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HardwayRAG@btinternet.com

Alternatively they can be sent direct to: jamie.paterson@gosport.gov.uk

Otherwise please print off, complete and deliver to Hardway RAG, c/o 132 Priory Road (Opposite Green) or 126 Priory Road (Moby House). Hardway RAG will collate responses and deliver to Gosport Borough Council officers.

All completed questionnaires can remain anonymous

A About You

1. Are you responding to this survey as (please select * all that apply)

A local resident who lives in Gosport ✓

A person who works in Gosport

Local Business owner/Manager

Visitor to Gosport (eg a shopper, on business, tourist)

Representative of a local community group

Other (please specify)

2. Please let us know the locality of your property such as the road or street name so we are able to map responses:

~~XXXXXXXXXX~~ ~~XXXXXXXXXX~~ ADJACENT TO THE SLIPWAY.

B Anti-Social Behaviour (ASB)

3. In the past 12 months have you been affected by ASB in Hardway Green and the immediate locality.

Yes ✓	No	Don't know	Prefer not to say
-------	----	------------	-------------------

4. If you answered yes to question 3 please advise What was the nature of the ASB and how often has it occurred in the past 12 months

BAD/FOUL LANGUAGE AIMED AT ME.
RIDING M/CYCLES DANGEROUSLY ON THE GREEN AND ROADS.
ON OCCASSIONS I SAW THESE M/CYCLES BROUGHT TO THIS AREA IN A VAN.

The location of the incident

THE GREEN AT HARDWAY AND THE
ADJACENT ROADS.

How the ASB has impacted on you

DURING THE SUMMER / WARMER DAYS I ABANDON THE
FRONT ROOMS OF MY HOUSE AND MOVE TO THE BACK
WHEN THE YOBS ARE ON THE GREEN

If you are happy to send your response via EMAIL please send to:

HardwayRAG@btinternet.com

Alternatively they can be sent direct to: jamie.paterson@gosport.gov.uk

Otherwise please print off, complete and deliver to Hardway RAG, c/o 132 Priory Road (Opposite Green) or

There does not seem to be any other

...

...

Gosport Borough Council
Anti-Social Behaviour Impact Survey

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A About You

1. Are you responding to this survey as (please select * all that apply)

- X A local resident who lives in Gosport
 - A person who works in Gosport
 - Local Business owner/Manager
 - Visitor to Gosport (eg a shopper, on business, tourist)
 - Representative of a local community group
 - Other (please specify)
-

2. Please let us know the locality of your property such as the road or street name so we are able to map responses:

~~Gosport Road, Gosport~~

B Anti-Social Behaviour (ASB)

3. In the past 12 months have you been affected by ASB in Hardway Green and the immediate locality.

X Yes	● No	● Don't know	● Prefer not to say
-------	------	--------------	---------------------

4. If you answered yes to question 3 please advise What was the nature of the ASB and how often has it occurred in the past 12 months

The location of the incident
The sailing club slipway.

How the ASB has impacted on you

Use the slipway for my kayak with friends. And youngsters often swear at us as we come back in. Leave rubbish everywhere. Also have a 2year old and hate going for a walk with him down there at certain parts of the day because of language used.

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ASB Community Survey – December 2017

All completed questionnaires can remain anonymous

ASB Community Survey – December 2017

All completed questionnaires can remain anonymous

1. Are you responding to this survey as (please select * all that apply)

2. Please let us know the locality of your property such as the road or street name so we are able to map responses:

3. In the past 12 months have you been affected by ASB in Hardway Green and the immediate locality.

4. If you answered yes to question 3 please advise What was the nature of the ASB and how often has it occurred in the past 12 months

and how often has it occurred in the past 12 months

IN THE SUMMER THEY TAKE OVER THE GREEN LEAVING RUBBISH BEHIND. WE TAKE OUR DOG FOR WALKS IN THIS AREA, BUT AVOID IT DURING THIS TIME.

The location of the incident

THE GREEN NEXT TO HARDWAY SAILING CLUB

How the ASB has impacted on you

WE AVOID THAT AREA IN THE SUMMER

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Gosport Borough Council
Anti-Social Behaviour Impact Survey

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- ☐ Local Business owner/Manager
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- ☐ Representative of a local community group
- ☐ Other (please specify)

2. Please let us know the locality of your property such as the road or street name so we are able to map responses:

[REDACTED]

B Anti-Social Behaviour (ASB)

3. In the past 12 months have you been affected by ASB in Hardway Green and the immediate locality.

- ☒ Yes ☐ No ☐ Don't know ☐ Prefer not to say

4. If you answered yes to question 3 please advise What was the nature of the ASB and how often has it occurred in the past 12 months

OUR HOUSE WAS BURGLAR WHILE WE SLEPT UP STAIRS

The location of the incident

VANGUARD ROAD

How the ASB has impacted on you

CHILDREN WERE WORRIED ABOUT SLEEPING AT NIGHT.
FINANCIALLY IT HAS IMPACTED US TOO

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51

Time Spent

0:14:27

1. Are you responding to this survey as (select all that apply)

a local resident that lives in Gosport

2. Please let us know the locality of your property such as the road or street name so we are able to map responses

[REDACTED]

3. In the past 12 months have you been affected by ASB at Hardway

Yes

4. If you answered yes to Question 3 please advise what was the nature of the ASB

yobs who gather on the green in the summer swearing and leaving their food and drinks litter over green
Sometimes there are loads of them who takeover the area from late afternoon to dark playing loud music
Can't take my toddlers to the green when they are there

5. If you answered yes to Question 3 how often has it occurred in the past 12 months

regularly ie weekly during summer

6. Location of the incident(s)

Foreshore hardway and green

7. How the ASB has impacted on you

the atmosphere is quite sexual between boys and girls and not family friendly I can't take my young kids there .
The language is really bad and I don't want my kids to hear it so we go there only in the early morning not after lunchtime. I'm not a prude but hearing every other word being 4 letters and talk of sex is not something I want to hear when having a teddy bear picnic with my preschool kids

50.

Time Spent

0:03:10

1. Are you responding to this survey as (select all that apply)

a local resident that lives in Gosport

2. Please let us know the locality of your property such as the road or street name so we are able to map responses

[REDACTED]

3. In the past 12 months have you been affected by ASB at Hardway

Yes

4. If you answered yes to Question 3 please advise what was the nature of the ASB

not being able to use green and my children don't feel safe or get abused whilst on green

5. If you answered yes to Question 3 how often has it occurred in the past 12 months

regularly ie weekly during summer

6. Location of the incident(s)

on the green and public pontoon

7. How the ASB has impacted on you

not being able to use the facilities and feeling intimidated

Time Spent

0:00:43

1. Are you responding to this survey as (select all that apply)

a local resident that lives in Gosport

2. Please let us know the locality of your property such as the road or street name so we are able to map responses

[REDACTED]

3. In the past 12 months have you been affected by ASB at Hardway

No

4. If you answered yes to Question 3 please advise what was the nature of the ASB

N/A

5. If you answered yes to Question 3 how often has it occurred in the past 12 months

Respondent skipped this question

6. Location of the incident(s)

Respondent skipped this question

7. How the ASB has impacted on you

Respondent skipped this question

Time Spent

0:08:16

1. Are you responding to this survey as (select all that apply)

a local resident that lives in Gosport

2. Please let us know the locality of your property such as the road or street name so we are able to map responses

[REDACTED]

3. In the past 12 months have you been affected by ASB at Hardway

Yes

4. If you answered yes to Question 3 please advise what was the nature of the ASB

Excessive litter etc. left behind on the Memorial Green especially at weekends. Young lads jumping off the piers and being very noisy.

5. If you answered yes to Question 3 how often has it occurred in the past 12 months

regularly ie weekly during summer

6. Location of the incident(s)

Memorial Green and the piers.

7. How the ASB has impacted on you

Made a very pleasant area unpleasant and sometimes rather intimidating. The lads on the piers are very noisy.

Time Spent

0:16:02

1. Are you responding to this survey as (select all that apply)

a local resident that lives in Gosport

2. Please let us know the locality of your property such as the road or street name so we are able to map responses



3. In the past 12 months have you been affected by ASB at Hardway

Yes

4. If you answered yes to Question 3 please advise what was the nature of the ASB

Abuse and intimidation by large groups of teenagers. They start off ok but the longer they are there and the more of them they get worse. Swearing, vandalism when they are bored or dared. Hassling residents and people cycling and walking by. Littering their behaviour stops anyone else using the area

5. If you answered yes to Question 3 how often has it occurred in the past 12 months

usually ie daily during summer

6. Location of the incident(s)

Priory green

7. How the ASB has impacted on you

I avoid that end of Priory road during summer when they descend I thought the Jolly Roger would be the problem when I moved here never realised the quiet tiny green would be the source of neighbourhood problems

1. Are you responding to this survey as (select all that apply)

a local resident that lives in Gosport

2. Please let us know the locality of your property such as the road or street name so we are able to map responses



3. In the past 12 months have you been affected by ASB at Hardway

Yes

4. If you answered yes to Question 3 please advise what was the nature of the ASB

My house has been targeted by groups who hang out at the green - I know who some of them are and they live in elson- they sit on the fence staring into our house and hang around for hours - they swore at my mum and attacked my dad at the end of the summer.

5. If you answered yes to Question 3 how often has it occurred in the past 12 months

usually ie daily during summer

6. Location of the incident(s)

In Priory road

7. How the ASB has impacted on you

I'm scared when they are there - I'm same age as them and we know lots of same people so I know what they say about my mum and dad and I worry they'll attack them and injure them I'm going to college in Chichester as I don't want to go to college in Gosport in case they threaten me. I never use the front door in the summer I get in the house from the back gate so they won't see me. I wish they would leave us alone - this has been a problem since I was at junior school but last year was the worst. I don't understand why they can do this when my dad was in the police he helped people like us but no one helps us

45

Time Spent

0:05:16

1. Are you responding to this survey as (select all that apply)

a local resident that lives in Gosport

2. Please let us know the locality of your property such as the road or street name so we are able to map responses

[REDACTED]

3. In the past 12 months have you been affected by ASB at Hardway

Yes

4. If you answered yes to Question 3 please advise what was the nature of the ASB

Assault on my neighbours at 132 priory road

5. If you answered yes to Question 3 how often has it occurred in the past 12 months

regularly ie weekly during summer

6. Location of the incident(s)

Private driveway 132 priory road and out Side my address and on the green and slipway

7. How the ASB has impacted on you

I fear a repeat this summer and do not feel comfortable in my own address through the summer holidays

Time Spent

0:10:06

1. Are you responding to this survey as (select all that apply)

a local resident that lives in Gosport

2. Please let us know the locality of your property such as the road or street name so we are able to map responses

Priory road

3. In the past 12 months have you been affected by ASB at Hardway

Yes

4. If you answered yes to Question 3 please advise what was the nature of the ASB

rugby ball kicked at window and my car Surrounded and threatened when I asked them to stop

5. If you answered yes to Question 3 how often has it occurred in the past 12 months

once

6. Location of the incident(s)

Priory road

7. How the ASB has impacted on you

Felt bullied and Upset Angry I'd be afraid to go out and speak to them if it happens again as my neighbour was assaulted when they came onto his property which makes me scared of what could happen

Time Spent

0:15:38

1. Are you responding to this survey as (select all that apply)

a local resident that lives in Gosport

2. Please let us know the locality of your property such as the road or street name so we are able to map responses



3. In the past 12 months have you been affected by ASB at Hardway

Yes

4. If you answered yes to Question 3 please advise what was the nature of the ASB

Park my car in the car park when visiting Sailing club and have had balls kicked at it by teenagers who seem to think it's funny using cars as target practice - this space is really small for rugby or football and these are powerful big kids not tiddlers so they kick and throw balls with force

5. If you answered yes to Question 3 how often has it occurred in the past 12 months

occasionally ie 1 to 5 times during summer

6. Location of the incident(s)

Slipway carpark

7. How the ASB has impacted on you

I'm paying to park my car and for this I should not have to risk it being damaged I'm angry that somewhere it should be safe it's not - it had some protection before the council removed all the plants that were between car park and grass area. I've started parking further down Priory road or green lane as I don't want to come back to damaged car.

Time Spent

0:06:35

1. Are you responding to this survey as (select all that apply)

a local resident that lives in Gosport

A person who works in Gosport

Representative of a local community group

2. Please let us know the locality of your property such as the road or street name so we are able to map responses



3. In the past 12 months have you been affected by ASB at Hardway

Yes

4. If you answered yes to Question 3 please advise what was the nature of the ASB

YOUTHS SHOUTING, SWEARING, THIEVING AND DAMAGEING PROPERTY, HOURS ON END. THREATENED ONCE, POLICE CALLED, IN COURT ONCE LEADING TO A PROSECUTION.

5. If you answered yes to Question 3 how often has it occurred in the past 12 months

usually ie daily during summer

6. Location of the incident(s)

HARDWAY GREEN, OLD VOSPER PIER, WATERFRONT APARTMENTS AND HOUSES

7. How the ASB has impacted on you

NUMEROUS CALLS TO THE POLICE, THREATENED ON AT LEAST TWO OCCASIONS. IN COURT LEADING TO A CONVICTION FOR CRIMINAL DAMAGE.

Time Spent

0:02:23

1. Are you responding to this survey as (select all that apply)

a local resident that lives in Gosport

2. Please let us know the locality of your property such as the road or street name so we are able to map responses



3. In the past 12 months have you been affected by ASB at Hardway

Yes

4. If you answered yes to Question 3 please advise what was the nature of the ASB

Abusive youths on the green, litter and intimidation

5. If you answered yes to Question 3 how often has it occurred in the past 12 months

usually ie daily during summer

6. Location of the incident(s)

Memorial Green on Priory Rd

7. How the ASB has impacted on you

My wife and children are now anxious to spend time there in the summer, or even walk past

Time Spent

0:08:18

1. Are you responding to this survey as (select all that apply)

a local resident that lives in Gosport

2. Please let us know the locality of your property such as the road or street name so we are able to map responses

[REDACTED]

3. In the past 12 months have you been affected by ASB at Hardway

Yes

4. If you answered yes to Question 3 please advise what was the nature of the ASB

vandalism - arson Teenagers deliberately setting fire to waste bin, Fire was put out by other residents with bottles of water On a separate day trying to burn a bench - called 101

5. If you answered yes to Question 3 how often has it occurred in the past 12 months

occasionally ie 1 to 5 times during summer

6. Location of the incident(s)

Memorial green off Priory road

7. How the ASB has impacted on you

Scared Angry they are damaging things and fire is so dangerous especially when things are dry Can't say anything they might put something burning through my letterbox as one of them seems drawn to starting fires

1. Are you responding to this consultation as: (please select all that apply)

☒ Representative of a local community group

2. Have you experienced ASB in the locality of Hardway memorial green?

No

3. If you answered yes to question 2 please share with us the location of the incident, the nature of the ASB and how it has impacted on you

N/A

4. Overall, what impact do you think having the PSPO in place will have?

- ☐ Positive impact
- ☒ No impact
- ☐ Don't know

5. Please let us know if you think the PSPO will have a positive impact

N/A

6. Please let us know if you think the PSPO will have a negative impact

Unfortunately there was not this option in Question 4 however we believe there will be a negative impact in regards to the stereotyping of young people within Hardway. We will explain these reasons in Question 7.

7. Do you think the PSPO should only apply to Hardway memorial and public places in the area edged black on the plan below

No.

We do not believe a PSPO should be put in place at all.

The Change.org petition to the Council by the Hardway Residents Action Group¹ was signed by 360 people. Gosport has a population of 82,622 residents² and this means that this PSPO is being requested by 0.44% of the Gosport population.

In addition to this, a number of these signatories are not Gosport Residents and some do not even speak of Anti-Social Behaviour caused directly by young people

- "i think it's disgusting that people can't take their litter home and spoil it for everyone else...they need fining"
- "I am considering taking my on holiday to the area; but if it is too dangerous, we will go elsewhere."

The statistics below show that Anti-Social Behaviour is a larger issue in Bridgemarky over the summer than Hardway with Bridgemarky having a higher number of Anti-Social Behaviour crimes listed on the Hampshire Constabulary website.

In June-September 2017 the number of Anti-Social Behaviour crimes in Gosport East was 306³

¹ <https://www.change.org/p/gosport-residents-hardway-green-public-space-protection-order>

² <https://www.gosport.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=25951>

Month	June	July	August	September
Gosport East	289	349	384	267
Gosport East ASB	69	104	130	66
Hardway Green ASB	6	10	11	0
% Hardway Green ASB of Gosport East ASB	8.6%	9.6%	8.4%	0%
% Hardway Green ASB of Gosport East crime	2.1%	2.9%	2.8%	0%

In June-September 2017 the number of Anti-Social Behaviour crimes in Gosport West was 303⁴

Month	June	July	August	September
Gosport West ASB	64	68	102	74
Bridgemary ASB	22	34	59	50

Looking at the data above, it is clear that whilst there is some issue of Anti-Social Behaviour on Hardway Green, in comparison to other areas of Gosport and Gosport Crime in general it is a small percentage.

Other powers that can and have been used are Dispersal Orders issued by the Police. The Police have not issued any anti-social behaviour injunctions in this area. An anti-social behaviour injunction can be applied for if there is persistent ASB by individuals and the legal threshold is met. As no injunctions have been applied we are led to believe that the ASB is not severe enough for the Police to warrant this method. If the Police cannot apply this method due to lack of ASB or offenders, we believe a PSPO would be completely ineffective too.

Hardway RAG have openly stated that the antisocial behaviour was from “1 large youth of groups”⁵. In that same article, they also state that they “could have named and shamed on social media” which indicates they and the Police are aware of the persistent offenders. They also state that “when the dispersal order was in place - the only ones stopped from using this area were those engaging in anti-social behaviour. This indicated to us that the option of an anti-social behaviour injunction should be explored for those particular persistent offenders.

Cllr Allen has advised that “he was not keen to see young people banned from the area but the situation with a fraction of young people needed to be dealt with”⁶ However It is very easy for other groups of young people to be penalised for other’s actions and we believe that this will be the case here. Many young people will feel intimidated socialising on the Green, even if they have never acted anti-socially due to news reports such as this “INTRODUCING a ban on teenagers on a waterfront green is for the benefit of everyone in the area, according to residents.”⁷

³ <https://www.police.uk/hampshire/4GG01/crime/2017-09/anti-social-behaviour/>

⁴ <https://www.police.uk/hampshire/4GG03/crime/2017-09/anti-social-behaviour/>

⁵ <https://thehardwayrag.wixsite.com/mysite/blog/page/1>

⁶ <https://www.gosport.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=46083>

⁷ <https://www.portsmouth.co.uk/news/politics/they-come-at-us-violently-why-people-want-to-ban-yobs-from-gosport-green-1-8363245>

As young people, we also want to raise the effect that stereotyping can have. We note that it has been recognised by both the RAG and Gosport Borough Council that the anti-social behaviour is not carried out by all young people, however the media have started to stereotype and we would be concerned about further stereotyping of young people using the green in a respectable manner if a PSPO is to be put in place.

Stereotyping shapes societal expectations of that group and informs decisions made about the group and its members and influences and underpins experiences of inequality and discrimination for many individuals and groups.

Stereotyping can diminish groups of people by seeking to limit their potential to fixed, and often negative, shared traits or characteristics. Stereotyping can suggest individual behaviour is automatically determined by membership of a single group. The presumption that a person has certain abilities or attributes purely because he/she belongs to a given social group can also result in an individual who does not conform to the stereotype feeling that he/she is excluded from the social group or under pressure to conform to the familiar stereotype.

We learn stereotypes from our personal experiences, the media, parents, friends, and many other sources. The precise nature of any stereotype, and its impact, will depend largely on the situation in which it is used. If people in power hold damaging stereotypes about a social group then they are likely to make decisions informed by those stereotypes. This disadvantages those groups and helps to keep stereotypes alive.

In summary we believe that a PSPO should not be applied to Hardway Green due to the following reasons;

- this PSPO is being requested by 0.44% of the Gosport population
- it is clear that whilst there is some issue of Anti-Social Behaviour on Hardway Green, in comparison to other areas of Gosport and Gosport Crime in general it is a small percentage.
- the option of an anti-social behaviour injunction should be explored for those particular persistent offenders
- the negative impact on young people through stereotyping

EQUALITIES IMPACT ASSESSMENT Screening Assessment Form

Please refer to guidance notes when completing this form. Once complete, please return to Corporate Policy and Community Safety Section or phone ext 5695 for more assistance.

Name of policy ___/strategy ___/function ___ being assessed. Please ✓ what it is. Public Space Protection Order (Hardway Green)
1. Is this policy, strategy or function new ___✓___ or an existing ___ one? Please ✓ what it is. A proposal to adopt a Public Space Protection Order for Gosport town centre restricting the consumption of alcohol or drugs linked to anti-social behaviour, and aggressive begging in places accessible to the public. 1a. Briefly describe the reasons for developing or reviewing this? Eg: change in legislation or requirements, results of consultation, part of a regular review cycle, etc. Section 59 of the Anti-social Behaviour Crime and Policing Act 2014 (the “Act”) gives the council the power to make a public space protection order (“PSPO”). A PSPO restricts activities, subject to any exemptions, in specified places open to the public in its area, which are linked to anti-social behaviour (ASB). It is a criminal offence for a person to, without reasonable excuse, to breach a PSPO restriction. A council officer authorised by the chief executive or police constable or police community support officer may enforce the PSPO (“Authorised Person”). The council must be satisfied that the legal threshold for making a PSPO is met: i.e. the activities are having a detrimental effect on persons living in the locality, and the restrictions proposed are reasonable. The council must consult with the public, partners such as the police, and stakeholders and have regard to the responses before a PSPO is adopted. The council received in August 2017 a petition from Hardway residents action group (RAG) for the implementation of a PSPO to tackle ASB in Hardway Green (the Green) during the spring and summer months. The RAG said that the response by the council and the police to the ASB had been inadequate.

2a. Describe the main aim or purpose of this item? Who will it benefit? Why is it needed?

The ASB was said to have been from a large group of youth who have engaged in the following ASB.

Motorbikes/mopeds riding on footpaths and the green

Littering

Trespass

Damage to property

Intimidation

Verbal Abuse

Assault

Drug related issues

In support of the petition the RAG undertook a community impact survey to gauge the nature, scale and impact of the ASB. The Borough Solicitor also attended a public meeting organised by RAG and heard first hand from residents impacted by the ASB.

Residents avoid the Green during the summer because they are fearful that they will be met with verbal abuse and intimidation by a minority of young people.

A PSPO could if enforced make the Green a safer place for the community to enjoy over the summer months.

The Community Board will consider at its meeting of 24th January 2018 whether to consult on a proposal to adopt a PSPO for the Hardway Green and immediate locality. The PSPO would be in force between 1st March and 31st October of any year. It would prohibit two or more persons engaging in conduct capable of causing alarm, harassment or distress to any reasonable member of

the public. If the police or authorised GBC officers have reasonable grounds for suspecting that a person is in breach of the prohibition they may require the person to disperse from a defined area and not return up for 12 months.

The council is required to consult the police, highway authority, other stakeholders who are likely to have an interest and the public. The following have been identified as stakeholders for the purpose of the consultation exercise youth offending team, local education authority, local schools and colleges and the youth council.

If a consultation exercise is approved by the Community Board the council will send a letter to the police, highway authority and other stakeholders identified seeking their views on the proposal. It will publish a notice on its website inviting members of the public to complete a survey online or in hard copy format with equal opportunities monitoring questions.

The purpose of the consultation exercise is to ascertain the scale and nature of the ASB and whether a PSPO is necessary and proportionate having regard to positive intervention measures, the criminal law, and ASB enforcement tools targeting the individual.

3a. The Public Sector Equality Duty is part of the Equality Act 2010. The Duty requires the Council to have due regard to the following three aims:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equal opportunities between people from different groups
- foster good relations between people from different groups.

Having due regard means considering how this policy, strategy or function has or will advance equal opportunities for each of the protected groups below.

There is no blanket restriction proposed on persons congregating at the Green to socialise or play ball games. The proposal is to have a prohibition on two or more person engaging in conduct capable of causing alarm, harassment or distress to any reasonable member of the public.

It does not follow that the Council will always prosecute a person for contravening a restriction or prohibition of a PSPO. The Council

must have regard to its generic enforcement policy in deciding whether it's in the public interest to prosecute. The age and circumstances of the offender and whether there are any mitigating or aggravating features are relevant considerations in assessing the public interest. The Council may decide to offer a person an Acceptable Behaviour Contract with positive conditions to engage in support. Alternatively it may issue a fixed penalty notice for the offence, which if paid in full within the prescribed period has the effect of discharging that person's liability to criminal proceedings. It may also decide to issue a person with a formal caution for the offence.

3b Identify how this item demonstrates due regard to the three aims above for each of the protected groups below. (For marriage and civil partnership, legislation requires you only need to demonstrate how you would eliminate unlawful discrimination, harassment and victimisation)			
Protected characteristic	This item demonstrates due regard by: Describe how it furthers equal opportunities. You can cite examples of any disadvantage this item removes or minimises, how it meets the specific needs of any groups, how it encourages participation, promotes understanding or integration between groups	Describe any negative impact or potentially negative impact of this item for any group. For any negative impact identified, describe actions already taken to address it. Any planned actions must be identified in section 4.	List data sources/ evidence used to assess impact and whether this item furthers the aims of the Equality Duty. Insert links to data used where possible
Age	The perpetrators of the ASB are alleged to be youths of school age.	may therefore have a disproportionate affect upon younger persons	Equality monitoring questions will be included in the PSPO consultation survey to help us understand the potential impact on different protected characteristics, including age. disability, those who have
Disability	A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out	The PSPO will not have any disproportionate impacts on this group; however, there may be a positive impact where	

	normal day-to-day activities.	obstruction of the highway and shop entrances is prevented.	<p>transitioned or are transitioning from one gender to another, birth, their marriage or civil partnership status, pregnancy or maternity status, their race, their religion or belief, their sex or sexual orientation. Results to these questions will be analysed for any disproportionate impacts on any protected characteristics. Other consultation mechanism will be used to encourage responses from all sections of the community.</p>
Gender reassignment	Anyone who is transitioning from one gender to another is protected with the same right as those not transitioning.	The PSPO will not have any disproportionate impacts on anyone who has transitioned or is in the process of transitioning from one gender to another.	
Marriage and Civil Partnership	Marriage or civil partnership status will not affect rights or protections under the PSPO	The PSPO will not have any disproportionate impacts on anyone due to their marriage or civil partnership status.	
Pregnancy and Maternity	Pregnancy is the condition of expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes discrimination while breastfeeding.	The PSPO will not have any disproportionate impacts on any pregnant woman or one who has given birth.	
Race (ethnic or national origin, colour, nationality)	This refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.	The PSPO will not have any disproportionate impacts on any person or group due to their race.	
Religion or Belief (and lack of belief)	Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief can affect life choices or lifestyles.	The PSPO will not have any disproportionate impacts on any person or group due to their religion or beliefs.	

Sex	Male or female	The PSPO will not have any disproportionate impacts on any person due to their sex.	
Sexual Orientation	Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes, they have the same rights and protections.	The PSPO will not have any disproportionate impact on any person or group due to their sexual orientation	
3c. Are there any other groups in addition to those above which could be impacted (e.g. socially or financially excluded) by this item?			
Please ✓ <input type="checkbox"/> yes <input type="checkbox"/> no			

Group	This item demonstrates due regard by:	Describe any negative impact or potentially negative impact of this item for any group	List data sources/ evidence used to assess impact and whether this item furthers the aims of the Equality Duty
Youths	This demographic typically congregate at Hardway Green to socialise or play ball games in the summer months. Persons from this age	Youths who engage in ASB would be impacted, but positive intervention such Acceptable Behaviour Contracts will be	Consultation with identified stakeholders with The Partnership

	demographic are alleged to be engaging in the ASB.	considered.	Action Group can discuss various options to address ASB issues and offer coordinated support to perpetrators impacted by the PSPO.
People with drug and or alcohol addictions	The council and other agencies will offer support to those experiencing addiction issues.	Perpetrators of ASB would be impacted by the PSPO. Enforcement is last a resort where the person does not engage with support offered.	

4. Please Identify any further actions you will take resulting from this assessment.

Action	Officer Responsible	Completion date
Coordinate 4 week public consultation on proposed PSPO using a variety of consultation mechanism, analyse responses, including voluntary equality monitoring questions, to determine its potential impacts on protected characteristics as well as any other groups of people.	Jamie Paterson and Sorrell Wakefield	Early March 2018
Complete the FULL EIA and include in it the consultation findings and how any identified potential discrimination will be mitigated. Attach the screening and full EIA to the Board report for a decision on the PSPO	Jamie Paterson	Early March 2018

5. Do you have any additional comments? If so, please add.

NONE

6. Date of screening 24.01.18	Officer(s) completing assessment Jamie P	Section Date Approved
7. Name of Section Head Michael Lawther	Date review completed. 24.01.18	24.01.18
8. Date submitted to E & D Lead 24.01.18	Date review completed 24.01.18	

EDSG Recommendation:

✓ This assessment form is incomplete and requires additional information for its review by the E & D lead officer: Please consult as described and include survey findings and analysis of equality monitoring questions to better assess for any potential discrimination caused by the proposed PSPO complete a full EIA.

This assessment has been successfully reviewed with the following outcome:

- ☐ **No major change** – The assessment of this policy/strategy/function shows no potential for discrimination and the aims of the Equality Duty has been met.
- ☐ **Adjust the policy/strategy or function** – This item will meet the aims of the Equality Duty if actions identified in Sections 3 and 4 to remove barriers or to better advance equality are implemented.
- ✓ **Consult on the policy/strategy/function** – There is some potential for adverse impact or missed opportunities to promote equality. Ensure effective consultation and equality monitoring is in place to assess the actual impact on different groups before any decision to implement.
- ☐ **Stop and Rethink** – Adverse equality impacts have been identified/ may not be justified and have not been sufficiently mitigated. Unlawful discrimination could be taking place. Do not adopt or continue until a full equality investigation has been completed.

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EQUALITIES IMPACT ASSESSMENT
Full Assessment Form

Part 1 – Main Details		Date Submitted 05.03.18
Full Title of item being assessed (Same as Screening Form)		Public Space Protection Order (Hardway Green)
Name and Contact Details: Jamie Paterson Senior Solicitor		
Part 2 - Assessment		
Consider the evidence and information sources provided in the Question 3 of the Screening Form on the possible adverse impact on any of the protected groups and answer the following questions. Please list additional research or evidence found and the key findings which support this assessment of the equality impact on any protected characteristic.		
New Research/ Evidence and Source	Key Findings	
Other authorities experience of PSPOs and its enforcement	There are alternatives to a fixed penalty notice or caution or prosecution for the offence. The proposed PSPO includes a power for the police or authorised GBC officer to require a person to disperse from the area and not return for a period of up to 12 hours .Acceptable behaviour contracts can also be issued when a person agrees.	
Support available to persons engaging in ASB who may mental or physical health issues, alcohol or addiction issues, difficult domestic circumstances	Even if the council were to adopt a PSPO its enforcement must be targeted against the minority of youths who persistently engage in the conduct prohibited by the PSPO	
2b. Direct Consultation:		
Have you consulted directly with any group(s) representing any of the protected characteristics in the assessment of this item? If yes, please complete the information below. If no, please explain why no direct consultation has taken		

place. A public survey on views about the PSPO was open for a four week period and 110 people took part. Most responded on the online survey and those who completed a paper copy had their responses added to the online survey results. Voluntary equality monitoring questions covering the following protected characteristics were included with the survey. Not all respondents answered all monitoring questions.

Target Group	Consulted Group	Date and Consultation Method	Key Findings and Any Actions Resulting (If no consultation undertaken, explain why not)
Age	61 respondents- 16-24: 4.92% 25-34: 14.75% 35-44: 26.23% 45-54: 24.59% 55-64: 13.11% 65-74: 14.75% 75-84: 1.64% 85 or over: 0%	Online anonymous Survey February 2018– 2 nd March 2018 respondents asked to complete equal opp monitoring form –	All ages of vulnerability will be referred into safeguarding mechanisms using each agency's safeguarding processes. The monthly Partnership Action Group will discuss and provide support and single points of contact to anyone deemed to be vulnerable.
Disability	63 respondents Do you have a disability? 11.11% Yes 79.37 % No 9.52% Prefer not to answer	As above	Mental health considerations and any other disability considerations will be taken into account by enforcement officers when assessing individual cases.
Gender reassignment	61 respondents, all whose gender is the same as that at birth	As above	No impact identified
Marriage and Civil Partnership	Not captured on the survey	As above	No impact identified
Pregnancy	Not captured	As above	Pregnant women will be referred into safeguarding

and Maternity			mechanisms to Hampshire County Council to have an initial assessment and then offer of support.
Race	63 responses 9.52% prefer not to say 87.30% white british 1.59% white – gypsy or Irish Traveller 1.59% other	As above	No impact identified
Religion and Belief	61 responses 49.21% None 31.75% Christian 7.94% other religion 11.11% prefer not to say	As above	No impact identified
Sex	62 respondents : 46.77 %male, 53.23% Female		
Sexual Orientation	61responses 90.16% : heterosexual 1.64% gay man 8.2% prefer not to say	As above	No impact identified
2.c. <u>Planned Consultation:</u> Please describe any planned consultation that you will undertake to assess the impact of this policy, strategy or function on any protected characteristic. A consultation has been undertaken to obtain the views of partners, stakeholders and the public			
Target Group	When will it take place?	Purpose of Consultation	
Police, Hampshire Highways	It has taken place	To seek their views on proposals and	

		review whether to recommend the draft PSPO for approval.	
Local education authority	As above	As above	
Youth offending team	As above	As above	
Children Services	As above	As above	
Local schools & colleges	As above	As above	
People who live, in, work in or visit Gosport	As above	As above	
Youth council	As above	As above	
2d. Have you identified any other possible “barrier” or adverse impact affecting any group which cannot be avoided? Please ✓ Yes____ No____ If yes, please provide details of how your item will deal with this.			
Part 3 - Monitoring			
Consider the main aims of the policy, strategy or function being assessed. Are there any intended outcomes of this item in relation to the protected characteristics and any other group that could be adversely affected? Yes			
3a. What monitoring arrangements have you put in place to regularly monitor the impact of this policy, strategy or function on different characteristics? (Monitoring can include satisfaction surveys, ways to monitor service take up or use by certain groups, formal and informal complaints, etc). Please refer to the Equality Monitoring Framework found on the Equality & Diversity Infonet pages for guidance on the Council’s corporate standard for using equality monitoring questions.			
Target Group	Monitoring Method	By Whom	Frequency
Persons with underlying issues such as housing, poverty, s and addictions	Meeting of the partnership action group	Council, police and other agencies that attend	Monthly
Review of PSPO	Fresh consultation exercise	Council, police, other agencies and the public	Every 3 years

Part 4 – Communicating to Customers		
4a. How have you communicated the development of or proposed changes to this policy, strategy or function to stakeholders? (e.g. Coastline, Staff Information Bulletin, leaflets, website, etc.) Please provide details.		
Name of Group	Communication Method	When
Public and stakeholders	Website notice, local media and social media, letters to stakeholders	February 2018
Part 5 - Training		
5a. Have you identified any training needs for staff in order to successfully implement this item? Please ✓ Yes_v___ No_____		
5b. If yes, please list any training required, how and when you plan to achieve this. If training has already occurred, please list. Training will be provided to Enforcement Officers before the PSPO comes into force.		
Staff Group	Training Needed	By When
Enforcement officers	Enforcement strategy – support and assistance	Before PSPO comes into force.
Part 6 – Additional Comments		
6a. Do you have any additional comments to make in support of this assessment? If yes, please explain. No		
7. Date 05.03.18	Lead Officer(s) responsible for this assessment Jamie Paterson	Contact Number(s):
8. Name of Section Head:		Date Approved by Section Head:
Date submitted to Equality & Diversity Lead		Review completed by E & D lead:
EDSG Recommendation(s): <input type="checkbox"/> Re-Submit --This full assessment form is incomplete and requires further information as listed in order to assess this item.		

✓ **Adopt/Implement**--This full assessment has been successfully completed and been assessed. The policy, strategy or function can proceed toward formal adoption, if required, or to implementation. **Note: no specific negative impacts of this proposal on any protected characteristics were identified from the answers to the survey questions and the responses to the equality monitoring questions, though a standard monitoring question about disability should have been included. Individuals in breach of the PSPO should have their specific vulnerabilities considered and assessed and positive interventions offered before enforcement measures are taken in order to ensure no discrimination is taking place.**

☐ **Do not proceed** --This full assessment has identified adverse impacts on _____ which Have not been sufficiently minimised, and / or unlawful discrimination has or can be taking place. This policy, Strategy or function should not be adopted or continue until further actions are taken.

EQUALITIES IMPACT ASSESSMENT Screening Assessment Form

Please refer to guidance notes when completing this form. Once complete, please return to Corporate Policy and Community Safety Section or phone ext 5695 for more assistance.

Name of policy ___/strategy ___/function ___ being assessed. Please ✓ what it is. Public Space Protection Order (Hardway Green)
<p>1. Is this policy, strategy or function new ___✓___ or an existing ___ one? Please ✓ what it is. A proposal to adopt a Public Space Protection Order for Gosport town centre restricting the consumption of alcohol or drugs linked to anti-social behaviour, and aggressive begging in places accessible to the public.</p> <p>1a. Briefly describe the reasons for developing or reviewing this? Eg: change in legislation or requirements, results of consultation, part of a regular review cycle, etc.</p> <p>Section 59 of the Anti-social Behaviour Crime and Policing Act 2014 (the “Act”) gives the council the power to make a public space protection order (“PSPO”). A PSPO restricts activities, subject to any exemptions, in specified places open to the public in its area, which are linked to anti-social behaviour (ASB). It is a criminal offence for a person to, without reasonable excuse, to breach a PSPO restriction. A council officer authorised by the chief executive or police constable or police community support officer may enforce the PSPO (“Authorised Person”).</p> <p>The council must be satisfied that the legal threshold for making a PSPO is met: i.e. the activities are having a detrimental effect on persons living in the locality, and the restrictions proposed are reasonable. The council must consult with the public, partners such as the police, and stakeholders and have regard to the responses before a PSPO is adopted.</p> <p>The council received in August 2017 a petition from Hardway residents action group (RAG) for the implementation of a PSPO to tackle ASB in Hardway Green (the Green) during the spring and summer months. The RAG said that the response by the council and the police to the ASB had been inadequate.</p>

2a. Describe the main aim or purpose of this item? Who will it benefit? Why is it needed?

The ASB was said to have been from a large group of youth who have engaged in the following ASB.

Motorbikes/mopeds riding on footpaths and the green

Littering

Trespass

Damage to property

Intimidation

Verbal Abuse

Assault

Drug related issues

In support of the petition the RAG undertook a community impact survey to gauge the nature, scale and impact of the ASB. The Borough Solicitor also attended a public meeting organised by RAG and heard first hand from residents impacted by the ASB.

Residents avoid the Green during the summer because they are fearful that they will be met with verbal abuse and intimidation by a minority of young people.

A PSPO could if enforced make the Green a safer place for the community to enjoy over the summer months.

The Community Board will consider at its meeting of 24th January 2018 whether to consult on a proposal to adopt a PSPO for the Hardway Green and immediate locality. The PSPO would be in force between 1st March and 31st October of any year. It would prohibit two or more persons engaging in conduct capable of causing alarm, harassment or distress to any reasonable member of

the public. If the police or authorised GBC officers have reasonable grounds for suspecting that a person is in breach of the prohibition they may requiring the person to disperse from a defined area and not return up for 12 months.

The council is required to consult the police, highway authority, other stakeholders who are likely to have an interest and the public. The following have been identified as stakeholders for the purpose of the consultation exercise youth offending team, local education authority, local schools and colleges and the youth council.

If a consultation exercise is approved by the Community Board the council will send a letter to the police, highway authority and other stakeholders identified seeking their views on the proposal. It will publish a notice on its website inviting members of the public to complete a survey online or in hard copy format with equal opportunities monitoring questions.

The purpose of the consultation exercise is to ascertain the scale and nature of the ASB and whether a PSPO is necessary and proportionate having regard to positive intervention measures, the criminal law, and ASB enforcement tools targeting the individual.

3a. The Public Sector Equality Duty is part of the Equality Act 2010. The Duty requires the Council to have due regard to the following three aims:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equal opportunities between people from different groups
- foster good relations between people from different groups.

Having due regard means considering how this policy, strategy or function has or will advance equal opportunities for each of the protected groups below.

There is no blanket restriction proposed on persons congregating at the Green to socialise or play ball games. The proposal is to have a prohibition on two or more person engaging in conduct capable of causing alarm, harassment or distress to any reasonable member of the public.

It does not follow that the Council will always prosecute a person for contravening a restriction or prohibition of a PSPO. The Council

must have regard to its generic enforcement policy in deciding whether it's in the public interest to prosecute. The age and circumstances of the offender and whether there are any mitigating or aggravating features are relevant considerations in assessing the public interest. The Council may decide to offer a person an Acceptable Behaviour Contract with positive conditions to engage in support. Alternatively it may issue a fixed penalty notice for the offence, which if paid in full within the prescribed period has the effect of discharging that person's liability to criminal proceedings. It may also decide to issue a person with a formal caution for the offence.

3b Identify how this item demonstrates due regard to the three aims above for each of the protected groups below. (For marriage and civil partnership, legislation requires you only need to demonstrate how you would eliminate unlawful discrimination, harassment and victimisation)			
Protected characteristic	This item demonstrates due regard by: Describe how it furthers equal opportunities. You can cite examples of any disadvantage this item removes or minimises, how it meets the specific needs of any groups, how it encourages participation, promotes understanding or integration between groups	Describe any negative impact or potentially negative impact of this item for any group. For any negative impact identified, describe actions already taken to address it. Any planned actions must be identified in section 4.	List data sources/ evidence used to assess impact and whether this item furthers the aims of the Equality Duty. Insert links to data used where possible
Age	The perpetrators of the ASB are alleged to be youths of school age.	may therefore have a disproportionate affect upon younger persons	Equality monitoring questions will be included in the PSPO consultation survey to help us understand the potential impact on different protected characteristics, including age. disability, those who have
Disability	A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out	The PSPO will not have any disproportionate impacts on this group; however, there may be a positive impact where	

	normal day-to-day activities.	obstruction of the highway and shop entrances is prevented.	<p>transitioned or are transitioning from one gender to another, birth, their marriage or civil partnership status, pregnancy or maternity status, their race, their religion or belief, their sex or sexual orientation. Results to these questions will be analysed for any disproportionate impacts on any protected characteristics. Other consultation mechanism will be used to encourage responses from all sections of the community.</p>
Gender reassignment	Anyone who is transitioning from one gender to another is protected with the same right as those not transitioning.	The PSPO will not have any disproportionate impacts on anyone who has transitioned or is in the process of transitioning from one gender to another.	
Marriage and Civil Partnership	Marriage or civil partnership status will not affect rights or protections under the PSPO	The PSPO will not have any disproportionate impacts on anyone due to their marriage or civil partnership status.	
Pregnancy and Maternity	Pregnancy is the condition of expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes discrimination while breastfeeding.	The PSPO will not have any disproportionate impacts on any pregnant woman or one who has given birth.	
Race (ethnic or national origin, colour, nationality)	This refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.	The PSPO will not have any disproportionate impacts on any person or group due to their race.	
Religion or Belief (and lack of belief)	Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief can affect life choices or lifestyles.	The PSPO will not have any disproportionate impacts on any person or group due to their religion or beliefs.	

Sex	Male or female	The PSPO will not have any disproportionate impacts on any person due to their sex.	
Sexual Orientation	Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes, they have the same rights and protections.	The PSPO will not have any disproportionate impact on any person or group due to their sexual orientation	
3c. Are there any other groups in addition to those above which could be impacted (e.g. socially or financially excluded) by this item?			
Please ✓ <input type="checkbox"/> yes <input type="checkbox"/> no			

Group	This item demonstrates due regard by:	Describe any negative impact or potentially negative impact of this item for any group	List data sources/ evidence used to assess impact and whether this item furthers the aims of the Equality Duty
Youths	This demographic typically congregate at Hardway Green to socialise or play ball games in the summer months. Persons from this age	Youths who engage in ASB would be impacted, but positive intervention such Acceptable Behaviour Contracts will be	Consultation with identified stakeholders with The Partnership

	demographic are alleged to be engaging in the ASB.	considered.	Action Group can discuss various options to address ASB issues and offer coordinated support to perpetrators impacted by the PSPO.
People with drug and or alcohol addictions	The council and other agencies will offer support to those experiencing addiction issues.	Perpetrators of ASB would be impacted by the PSPO. Enforcement is last a resort where the person does not engage with support offered.	

4. Please Identify any further actions you will take resulting from this assessment.

Action	Officer Responsible	Completion date
Coordinate 4 week public consultation on proposed PSPO using a variety of consultation mechanism, analyse responses, including voluntary equality monitoring questions, to determine its potential impacts on protected characteristics as well as any other groups of people.	Jamie Paterson and Sorrell Wakefield	Early March 2018
Complete the FULL EIA and include in it the consultation findings and how any identified potential discrimination will be mitigated. Attach the screening and full EIA to the Board report for a decision on the PSPO	Jamie Paterson	Early March 2018

5. Do you have any additional comments? If so, please add.

NONE

6. Date of screening 24.01.18	Officer(s) completing assessment Jamie P	Section Date Approved
7. Name of Section Head Michael Lawther	Date review completed. 24.01.18	24.01.18
8. Date submitted to E & D Lead 24.01.18	Date review completed 24.01.18	

EDSG Recommendation:

✓ This assessment form is incomplete and requires additional information for its review by the E & D lead officer: Please consult as described and include survey findings and analysis of equality monitoring questions to better assess for any potential discrimination caused by the proposed PSPO complete a full EIA.

This assessment has been successfully reviewed with the following outcome:

- ☐ **No major change** – The assessment of this policy/strategy/function shows no potential for discrimination and the aims of the Equality Duty has been met.
- ☐ **Adjust the policy/strategy or function** – This item will meet the aims of the Equality Duty if actions identified in Sections 3 and 4 to remove barriers or to better advance equality are implemented.
- ✓ **Consult on the policy/strategy/function** – There is some potential for adverse impact or missed opportunities to promote equality. Ensure effective consultation and equality monitoring is in place to assess the actual impact on different groups before any decision to implement.
- ☐ **Stop and Rethink** – Adverse equality impacts have been identified/ may not be justified and have not been sufficiently mitigated. Unlawful discrimination could be taking place. Do not adopt or continue until a full equality investigation has been completed.

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EQUALITIES IMPACT ASSESSMENT
Full Assessment Form

Part 1 – Main Details		Date Submitted 05.03.18
Full Title of item being assessed (Same as Screening Form)		Public Space Protection Order (Hardway Green)
Name and Contact Details: Jamie Paterson Senior Solicitor		
Part 2 - Assessment		
Consider the evidence and information sources provided in the Question 3 of the Screening Form on the possible adverse impact on any of the protected groups and answer the following questions. Please list additional research or evidence found and the key findings which support this assessment of the equality impact on any protected characteristic.		
New Research/ Evidence and Source	Key Findings	
Other authorities experience of PSPOs and its enforcement	There are alternatives to a fixed penalty notice or caution or prosecution for the offence. The proposed PSPO includes a power for the police or authorised GBC officer to require a person to disperse from the area and not return for a period of up to 12 hours .Acceptable behaviour contracts can also be issued when a person agrees.	
Support available to persons engaging in ASB who may mental or physical health issues, alcohol or addiction issues, difficult domestic circumstances	Even if the council were to adopt a PSPO its enforcement must be targeted against the minority of youths who persistently engage in the conduct prohibited by the PSPO	
2b. Direct Consultation:		
Have you consulted directly with any group(s) representing any of the protected characteristics in the assessment of this item? If yes, please complete the information below. If no, please explain why no direct consultation has taken		

place. A public survey on views about the PSPO was open for a four week period and 110 people took part. Most responded on the online survey and those who completed a paper copy had their responses added to the online survey results. Voluntary equality monitoring questions covering the following protected characteristics were included with the survey. Not all respondents answered all monitoring questions.

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Review of PSPO	Fresh consultation exercise	Council, police, other agencies and the public	Every 3 years

Part 4 – Communicating to Customers		
4a. How have you communicated the development of or proposed changes to this policy, strategy or function to stakeholders? (e.g. Coastline, Staff Information Bulletin, leaflets, website, etc.) Please provide details.		
Name of Group	Communication Method	When
Public and stakeholders	Website notice, local media and social media, letters to stakeholders	February 2018
Part 5 - Training		
5a. Have you identified any training needs for staff in order to successfully implement this item? Please ✓ Yes_v___ No_____		
5b. If yes, please list any training required, how and when you plan to achieve this. If training has already occurred, please list. Training will be provided to Enforcement Officers before the PSPO comes into force.		
Staff Group	Training Needed	By When
Enforcement officers	Enforcement strategy – support and assistance	Before PSPO comes into force.
Part 6 – Additional Comments		
6a. Do you have any additional comments to make in support of this assessment? If yes, please explain. No		
7. Date 05.03.18	Lead Officer(s) responsible for this assessment Jamie Paterson	Contact Number(s):
8. Name of Section Head:		Date Approved by Section Head:
Date submitted to Equality & Diversity Lead		Review completed by E & D lead:
EDSG Recommendation(s): <input type="checkbox"/> Re-Submit --This full assessment form is incomplete and requires further information as listed in order to assess this item.		

✓ **Adopt/Implement**--This full assessment has been successfully completed and been assessed. The policy, strategy or function can proceed toward formal adoption, if required, or to implementation. **Note: no specific negative impacts of this proposal on any protected characteristics were identified from the answers to the survey questions and the responses to the equality monitoring questions, though a standard monitoring question about disability should have been included. Individuals in breach of the PSPO should have their specific vulnerabilities considered and assessed and positive interventions offered before enforcement measures are taken in order to ensure no discrimination is taking place.**

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