



Committee

Public

Cabinet
8th July 2026

Town Centre Public Space Protection Order

Cabinet Member:	Councillor Heather Kidd
Lead Director:	Rachel Robinson Executive Director Public Health
Service Area:	Service Area
Report Author	Lisa Gardner, Temporary Business Manager
Officer contact details	01743 250019, Lisa.gardner@shropshire.gov.uk
Electoral Divisions Affected	Alex Wagner
Key Decision?	Non Key
Cabinet Forward Plan	Yes - 27 th May 2026
Report considered by	

1. Purpose of Report

1.1 The purpose of this report is provide Cabinet with a comprehensive overview of the key findings and information relevant for their consideration to extend the Public Space Protection Order in Shrewsbury Town Centre for a further three years. This is in line with statutory requirements laid out in the Anti-social Behaviour, Crime and Policing Act 2014.

2. Recommendations

Cabinet is asked to

2.1 Agree that the Council extend the Shrewsbury Town Centre Public Space Protection Order (No.1) 2017, as set out in **Appendix A** (the Order), with an effective commencement date of August 1st 2026.

2.2 Delegates authority to the Director Legal & Governance (MO) for holding responsibility for functions relevant to the Order (as extended).

2.3 Delegate authority to the Director Legal & Governance (MO) to publish and cause to be erected notices in accordance with Regulations made under the Anti-Social Behaviour, Crime and Policing Act 2014.

3. Background

3.1 The Anti-Social Behaviour, Crime and Policing Act 2014 introduced Public Space Protection Orders, which were intended to provide the means of preventing individuals or groups committing anti-social behaviour in a public space. Section 59 of the Act sets out the test which must be satisfied before a local authority makes an Order... “where the behaviour is having, or likely to have, a detrimental effect on the quality of life of those in the locality; be persistent or continuing in nature; and be unreasonable”.

3.2 The power to make an Order rests with the local authority in consultation with the police and other relevant bodies who may be affected. The local authority can make an order in respect to any public space to deal with particular nuisance behaviour that is detrimental to the local community’s quality of life, by imposing conditions on the use of the area which apply to everyone. This is to help ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.

3.3 An Order can be in place for a maximum period of three years after which time the local authority must consider whether to extend the Order.

3.4 A challenge to the validity of the Order or aspects of it can be lodged by anyone who lives in, or regularly works in or visits the area in the High Court within six weeks of issue. Further challenge can only be made when an Order is varied by the local authority. Given there is no proposal to amend/vary the current Order, there will be no opportunity for challenge to the validity of the Order.

- 3.5 An order may be applied wherever there is material evidence of anti-social behaviour, for example, in reports to the police, local authorities or partner agencies.
- 3.6 The restrictions and requirements included in an order may be comprehensive or targeted on specific behaviours by particular groups and/or at specified times.
- 3.7 Orders can be enforced by a police officer, a police community support officer, authorised council officers and employees of other delegated organisations. In Shrewsbury town centre the Town Rangers have been given this authority and they have informed the consultation that they feel the Order supports them significantly in managing low level anti-social behaviour within the town centre.
- 3.8 A breach of the Order can be dealt with through the issuing of a Fixed Penalty Notice of up to £100, or a Level 3 fine (max £1,000) on prosecution. When the Order was first introduced the level of FPN was set at £75. There are no changes proposed to the current level of FPN at this time.
- 3.9 In establishing an Order, appropriate signage must be displayed in accordance with the requirements of the Act on entry points to the public area and within the said area.
- 3.10 The area covered by the Order, known as the 'restricted area', is identified within the Order by a map, which covers the town centre area within the river loop and a part of Mountfields, which includes Frankwell car park and the adjacent playing fields. There is no proposed change to the restricted area.

4. Summary of Main Proposals –

- 4.1 This report has been prepared in line with Shropshire's Corporate Plan. It specifically relates to the Council's ambition for people to "live in safe, inclusive places with home that meet their needs" and the Council's statutory responsibilities through Community Safety Partnerships (CSPs), which were established under the Crime and Disorder Act 1998.
- 4.2 The Shrewsbury Town Centre Public Space Protection Order (No.1) 2017 ('the Order') was originally approved by Cabinet on 21st June 2017 with an effective commencement date of 1st August.
- 4.3 There was further Cabinet approval for renewal (without variation) on 6th July 2020, and this took effect from 1st August 2020.
- 4.4 In July 2023 Cabinet approved amendments to the existing Order. These amendments were to include three additional powers to the order. This is the Order that is in place today.
- 4.5 The current Order allows authorised officers, which includes a Police Constable, Police Community Support Officer (PCSO), an authorised officer of Shropshire Council or any person authorised by Shropshire Council to tackle specific behaviours that are causing nuisance, alarm, harassment or distress. The prohibited activities are:
- a)** No person shall urinate or defecate in a public area not being a facility intended for such use

- b)** No person shall, for any duration of time, leave unattended in a public area any personal effects or belongings or any other material or paraphernalia including anything that may be considered discarded or waste material.
- c)** No person shall refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer, provided that officer has reason to believe that that person is causing or is likely to cause nuisance, alarm, harassment or distress to any other person
- d)** No person shall refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer, provided that officer has reason to believe that that person is causing or is likely to cause nuisance, alarm, harassment or distress to any other person
- e)** No person shall refuse to leave a public toilet when required to do so by an authorised officer, provided that officer has reason to believe that that person is causing or likely to cause nuisance, alarm, harassment or distress to any other person
- f)** No person shall refuse to stop using a device intended to amplify sound when required to do so by an authorised officer, provided the officer has reason to believe that the person is causing or likely to cause nuisance, alarm, harassment or distress to any other person
- g)** No person shall refuse to disperse from a public area and not to return to that public area for 48 hours when required to do so by an authorised officer, provided that officer has reason to believe that that person is causing or likely to cause nuisance, alarm, harassment or distress to any other person.

4.6 Prior to the original Order and the subsequent variation being made in 2020 there was significant consultation regarding the need for the PSPO. The context as to why the prohibitions have been included is provided below.

4.7 The first prohibition relates to urinating and defecating in the public area. Despite public belief prior to the introduction of the Order, neither would amount to a criminal offence and the police in dealing with this behaviour had to rely on gathering evidence to consider an indirect offence, e.g. 'exposure', which would often prove too difficult to pursue.

4.8 The second prohibition bans the leaving of personal belongings without reasonable excuse. Inadvertently or accidentally leaving behind personal items would not breach the Order as this could be considered a reasonable excuse. As a result, this prohibition is clearly aimed at those individuals intentionally leaving their possessions in the public area. Leaving behind personal belongings, given the national security risk, is simply unacceptable. Further, there is strong evidence of discarded drug paraphernalia in the town centre which provides an indication as to the possible or likely contents of the possessions being left behind potentially exposing members of the public in particular children to unnecessary risk.

4.9 The third prohibition has an impact on behaviours linked to the consumption of alcohol in the public area. Whilst drinking is currently permitted and will remain so, the prohibition allows intervention by an authorised officer where a person's behaviour as a result of continued alcohol consumption is causing nuisance, alarm, harassment or

distress to any other person or public disorder. Only if that person fails to stop drinking and/or hand over the alcohol does a criminal breach occur.

- 4.10 The fourth prohibition provides authorised officers with the ability to engage with individuals who are sitting or lying on any footpath or pedestrian area or in any fire escape, stairway or other entrance or exit to any premises and are causing nuisance, alarm, harassment or distress to any other person or public disorder to move from that area. Only where a person fails to respond positively to an officer's request to move would a criminal breach occur. It is aimed at helping to reduce aggressive begging and the menacing of passing public. It also helps town centre businesses gain unimpeded access to their premises, which was a concern that had been raised in a number of responses received during a previous consultation from town centre businesses.
- 4.11 The fifth prohibition provides authorised officers with the ability to engage and require individuals, whilst within a public toilet and where they are considered to be causing nuisance, alarm, harassment or distress to any other person or public disorder, to leave the toilet. Reports of anti-social behaviour by individuals using public toilets including drug related activity were a significant concern prior to this prohibition being added to the Order.
- 4.12 The sixth prohibition provides authorised officers with the ability to require a person to stop using a device intended to amplify sound where that person is causing or likely to cause nuisance, alarm, harassment or distress. This is not an outright ban on sound amplification, but it does require a more considered use of such a device as well as greater concerns for those within the vicinity.
- 4.13 The Evaluation Report that accompanies this report identifies that the Order has had a strong positive impact and there has been major reductions across incidents such as aggressive begging, drug misuse and damage in the last three year. Enforcement activity remains low suggesting that the Order is acting as a deterrent rather than being relied on heavily in terms of formal enforcement action.
- 4.14 A public consultation has been undertaken on the renewal of the current Order and letters of support from local stakeholders have been received. These indicate significant endorsement for the extension of the Town Centre Public Space Protection Order as it currently stands without any need for changes to the order as outlined in section 2.5.

5. Alternative Options

- 5.1 A meeting with key stakeholders was held where the option of not extending the Order was discussed. Those present, which included West Mercia Police, Environment Health, Licencing and Shrewsbury Town Council there was an overwhelming consensus that the Order continues to provide police and authorised officers with a tool to tackle low level anti-social behaviour. The removal of the PSPO would have a detrimental effect on the wider community.

6. Key risks and Opportunities

- 6.1 The Order was introduced to help improve the commercial nature of Shrewsbury town centre (including the evening and night-time economy and visitor experience), whilst ensuring that public spaces are enjoyed by the majority and not spoiled by the actions of the minority, and this remains at the heart of the purpose of the Order.
- 6.2 When the Order was made in 2017 there was no legal challenge made over its validity. Under the Anti-social Behaviour, Crime and Policing Act 2014, where a Public Space Protection Order is introduced or where a variation is made, a legal challenge over the validity of such an order is possible for a period of up to six weeks. No variations are requested and this order has been in place since 2017 and therefore it is not being introduced.
- 6.3 In line with the requirements of the Act, a public consultation seeking views from statutory consultees and the public on the extension has been undertaken.
- 6.4 West Mercia Police, the Office of the Police and Crime Commissioner, Shrewsbury Town Council, the Residents Association, Shrewsbury Business Improvement District (BID) and other community representatives and landowners were notified of the consultation and encouraged to respond.
- 6.5 Responses to the consultation have been collated and can be found at **Appendix B**.
- 6.6 There have been some responses that could not be captured within Appendix B and have been provided separately as follows:
- Response from Town Centre Residents Association **Appendix C**
 - Response from Pubwatch **Appendix D**
 - Response from Shrewsbury BID **Appendix E**
 - Response from Prosecure **Appendix F**
 - Response from West Mercia Police **Appendix G**
- 6.7 The Order has been in operation since 2017 and, in accordance with the Council's Better Regulation and Enforcement Policy, it has primarily been used to address low level anti-social behaviour with the primary aim being to modify or change the behaviour of individuals using the lowest level of enforcement intervention. The wording of the Order has been designed to enable authorised officers to intervene in circumstances in an attempt to de-escalate situations and resolve matters, as opposed to criminalising individuals; this remains the case.
- 6.8 Team Shrewsbury partners collect and collate data on behaviours/incidents/reports in Shrewsbury Town Centre; there are currently 17 categories to which these are assigned. This data is regularly shared and reviewed within Team Shrewsbury Meetings. In addition, West Mercia Polices OIS and Hot Spot data contributes to the understanding of activity within the Town Centre. What has been demonstrated in the last three years, which can be seen in the full Evaluation Report (**Appendix H**) is that there is a continuing need for the existing Public Space Protection Order prohibitions. Whilst all incident types have continued to generate reports the Order has contributed

to a significant and sustained reduction in anti-social behaviour in the town centre with a major decrease in high harm behaviours such as aggressive begging.

7. Council Priorities

- 7.1 In line with the Council's Corporate Plan the Town Centre Public Space Protection Order provides both police and authorised officers with a tool to tackle low level anti-social behaviour. This means that the local community feels safer and there is a sense of safety and security in the area for those who live, visit and work there.
- 7.2 7.2 The Evaluation Report identified that whilst all incident types have continued to generate reports the Order has contributed to a significant and sustained reduction in anti-social behaviour in the town centre with a major decrease in high harm behaviours such as aggressive begging.

8. Financial Implications

- 8.1 An identified breach of the Order is a criminal offence and a person guilty of an offence is liable on summary conviction to a fine not exceeding Level 3 (maximum £1,000). However, the legislation enables such offences to be dealt with, where appropriate, by way of a Fixed Penalty Notice (FPN), which, if paid, would discharge an individual's liability to conviction for the offence. The amount of the FPN was set by Cabinet at £75, reduced to £50 if paid within 10 days. It should be noted that The Crime and Policing Act 2026 Section 4 (3) amends the maximum level with the value of £500, however statutory guidance is to be issued by the Secretary of State prior to this coming into force. We will review the FPN value once the statutory guidance has been issued.
- 8.2 In the last three years there have been 9 Written Warnings issued. 7 Fixed Penalty Notices, 3 of which have been paid and 4 prosecutions pursued for 4 unpaid Fixed Penalty Notices. Any costs, including officer time, associated with investigating breaches and bringing legal proceedings in the criminal courts have been met from within the Business and Consumer Protection Service operational budget. This adversely impacts the delivery of Trading Standards related mandatory statutory duties as the officers who take on these cases are based in the Trading Standards Team. Any costs awarded in court proceedings invariably do not cover the Council's expenditure and even when awarded are rarely received due to the personal circumstances of the individuals who are facing prosecution.
- 8.3 It has also been recognised that enforcement of the Order can be difficult, with financial and resource pressures on Shropshire Council, West Mercia Police and other partners (Town Rangers are authorised Officers), there is currently no agreement to extend these powers to any particular persons. The inclusion of this power will be utilised when appropriate and when the Council is in a position to provide sufficient assurance that it can resource any anticipated outcomes from an increase in the number of enforcement actions. This will include back-office administrative support, additional officer time to review criminal reports and accompanying evidence,

administering appropriate sanctions, undertaking investigations for cases requiring formal action and finally costs associated with bringing criminal legal proceedings.

9. Legal and HR implications

9.1 A challenge to the validity of the Order or aspects of it can be lodged by anyone who lives in, or regularly works in or visits the area in the High Court within six weeks of issue. Further challenge can only be made when an Order is varied by the local authority. Given there is no proposal to amend/vary the current Order, there will be no opportunity for challenge to the validity of the Order. Other legal implications are explained within the body of the report.

10. Electoral Division Implications

10.1 Cllr Wagner has been consulted with in regard to the extension of the Town Centre PSPO and was made aware of the public consultation.

11. Health, Social (including “Child Friendly Shropshire”) and Economic Implications

11.1 An Equality, Social Inclusion and Health Impact Assessment (ESHIA) has been undertaken in relation to the extension, as it was in relation to the initial implementation of the Order ~~and this identified a low positive impact for the community and for Protected Characteristic groupings.~~ Further details are contained within the section below The ESHIA can be read **Appendix I**.

11.2 Prohibitions within the Order such as no leaving personal belongings, no urinating and defecating have a positive impact on the health of those within the community as a whole, including children.

12 Equality and Diversity Implications

12.1 When the Order was first proposed an Equality and Social Inclusion Impact Assessment was undertaken to assess the likely impact for individuals within any of the nine protected characteristics as set out in the Equality Act 2010. The ESIIA also weighed the impact of the Order in regard to social inclusion considering the needs of those who are vulnerable, including rough sleepers. The original ESIIA was updated in 2023 when there was an extension and variations made to the Order. Both indicated that the overall equality impact would be low positive across groupings.

12.2 An updated Equality, Social Inclusion and Health Impact Assessment (ESHIA) has been carried out, which reflects the feedback from the public consultation and which draws upon the latest data. The ESHIA may be found at **Appendix I**. It is anticipated that the impact for the community and for and across Protected Characteristic groupings and local groupings, as a result of the proposed extension to the Order will remain ‘low positive’ as it is remaining the same.

- 12.3 There is potential to move to medium positive for the groupings of Age, Disability, Carers, and Social Inclusion. This is in relation to those who are vulnerable or consider themselves vulnerable when out in the public realm. By way of example, consultation feedback was given by a parent in their caring role with an adult son who has learning disabilities, in regard to intimidation experienced. Further actions through the PSPO could minimise this for them and for other individuals, including those who may have neurodivergent conditions or those with caring responsibilities such as for carers of young children. The feedback within the consultation report also includes concerns expressed around safe access to and usage of Shrewsbury Library due to anti-social and intimidating behaviour of persons outside the Library. To not renew the PSPO could cause such issues to be exacerbated and lead to a decline in usage of the library, particularly by people who are either vulnerable, such as children and young people, or who consider themselves to be vulnerable. Further targeted action in this location through the PSPO if renewed, could minimise this current negative societal and cultural impact.
- 12.4 The likely positive impact of a renewal of the PSPO for those who are vulnerable by virtue of their circumstances, for example rough sleepers and those at risk of homelessness, may also rise to medium positive. Here, the groupings of particular regard are Social Inclusion, and Veterans and Serving Members of the Armed Forces and their families, for whom we are required to show 'due regard' under the Armed Forces Act 2021. The proposal to extend the Order is anticipated to have a positive direct impact on health, mental health and physical wellbeing of those who are currently sleeping rough, when they are assisted to find accommodation. It is also anticipated to have a positive impact on social, economic and environmental living conditions that would indirectly affect health, given that it relates to the built and green environment of Shrewsbury town centre. There is likely to be a cleaner and safer street scene, which brings broader health benefits for all who live, work and visit Shrewsbury.
- 12.5 There may be opportunities for individuals to improve their own health and wellbeing, particularly in relation to reducing drug use and alcohol consumption; however, to do so, individuals are likely to require support from other health and social care services, including housing services, mental health services and also from the Shropshire Recovery Partnership

13 Climate Change, Biodiversity and Environmental Implications

13.1 It is acknowledged that the Order is expected to have a “no effect” outcome on the climate change impacts listed below:

- energy and fuel consumption (buildings and/or travel)
- renewable energy generation;
- carbon offsetting or mitigation; and
- climate change adaptation.

14 Background Papers

Anti-social Behaviour, Crime and Policing Act 2014 **Shropshire’s Corporate Plan**

15 Appendices

Appendix A - Shrewsbury Town Centre Public Spaces Protection Order (No.1) 2007

Appendix B - Consultation responses

Appendix C – Response from Town Centre Residents Association (Email Addresses redacted)

Appendix D – Response from Pubwatch

Appendix E – Response from Shrewsbury BID

Appendix F – Response from Prosecure

Appendix G –Response from West Mercia Police

Appendix H – Evaluation Report

Appendix I – Updated ESIA