

**THE WHOLE AREA OF LONDON BOROUGH OF HARROW
PUBLIC SPACES PROTECTION ORDER 2023**

This Order relates to the whole borough of the London Borough of Harrow, as shown edged black on the attached plan

1. In this Order:

'Anti-Social Behaviour' refers to section 59 (2) (a)-(b) of the Anti-Social Behaviour, Crime and Policing Act 2014 and means: activities carried out, or which are likely to be carried out, in a public space which have a detrimental effect on the quality of life those in the locality. This also means behaviour likely to cause harassment, distress or alarm to one or more other person. This can include, but is not limited to, littering, verbal abuse, obstructing the highway, illegal drug use, urinating or, spitting

'The designated area' refers to any public space to which the public or a part of the public has access (S 74(1) of the Anti-Social Behaviour, Crime and Policing Act 2014). This can be with payment, or with express or implied permission. This can include businesses and communal areas of housing blocks but excludes residential premises.

'Authorised officer' refers to: police officer, police community support officer, or any other person designated to enforce the Order by London Borough of Harrow. You can require any authorised officers to produce authorisation before enforcing the Order.

'Psychoactive substances' refers to section 2(1) and section 2(2) of the Psychoactive Substances Act 2016: "any substance which –

- (a) is capable of producing a psychoactive effect in a person who consumes it, and
- (b) is not an exempted substance"
- Laughing gas (nitrous oxide or balloons), khat, spice, and mephedrone (drone) are non-exhaustive examples of psychoactive substances referred to in this Order.

'Proper control' means a dog being on a lead or muzzled if the dog requires it, or otherwise being at heel / close enough to the person in charge that it can be restrained if necessary or responding immediately to voice commands

'A receptacle' is defined as any object capable of holding faeces for disposal and does not include an item of clothing, handbag, or purse.

'Removal of faeces from land' will include placing the faeces in a receptacle on the land which is provided for the disposal of waste

'Footpaths and Verges' Applies to any footway or footpath, maintainable at the public expense, or any grass verge managed by the Local Authority, and which is adjacent to the carriageway or footway of a highway, including adjoining footpaths within the restricted area. This prohibition will not apply where the reason is for permitted access or for emergency vehicles gaining access to, or attending to, an incident

'Illegal advertising' includes anyone Fly-posting including the unlawful posting of notices, signs or banners to street furniture or a person or body who benefits from the fly posting.

'Illegal or Unauthorised Street Trading' includes persons selling from bags, trolleys, Vehicles or any other mobile means.

'Repairing or storing vehicles' will not include legitimate parking of private vehicles in the street or undertaking minor maintenance and repair of private vehicles at the road side.

2. The London Borough of Harrow, in accordance with Section 59 (7)(a) of the Anti-Social Behaviour, Crime and Policing 2014, identifies the following activities in the designated area, highlighted in section 3 to 12 of this Order, as having had a detrimental impact on the quality of life of those in the locality, or it is likely that they will have such an effect.

3. **The Whole Borough as shown edged black on the attached map in Appendix 1 (the designated area)**

- Street drinking having been asked to stop

- Consumption, use, and/or possession of psychoactive substances
- Controlling and clearing up after dogs
- Urinating/defecating and/or spitting in public
- Careless disposal of smoking material into a bin without first fully and properly extinguishing them.
- Disturbing materials/items left as recycling or donations at charity shops or recycling points
- Highways and Vehicles
- Smoking in Play Areas
- Illegal advertising or running events
- Fires and fireworks
- Congregating groups engaged in anti-social behaviour

Due to the volume of reports of these activities and behaviours, the Council is satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature and these activities are unreasonable and justify the restrictions imposed by the notice and that it is in all the circumstances expedient to make this Order for the purpose of reducing anti-social behaviour in a public place.

The requirements and prohibitions set out below will relate to either the whole borough or parts of the London Borough of Harrow and will be stated as such.

The London Borough of Harrow, being thereby satisfied that the conditions in Section 59 of the Act have been met, hereby makes the following Order:

4. The Whole Borough

As shown edged black on the attached plan in Appendix 1 ('the designated area')

Requirements - In all public spaces within this designated area, you are required to:

4.1 Prohibition on Alcohol consumption

- a. Stop drinking alcohol other than within a licenced premises, or anything which the authorised officer reasonably believes to be alcohol, if asked to do so by an authorised officer.
- b. If you have been asked to stop drinking alcohol by an authorised officer and have not, without reasonable excuse, complied with their request, you must surrender any cans, bottles, or other containers of alcohol or what is reasonably be believed to be alcohol

4.2 Possession of controlled drugs or psychoactive substances

- a. Surrender any psychoactive substances or controlled drugs or associated paraphernalia you possess, or any items reasonably believed to be such by an authorised officer.

4.3 Controlling and clearing up after dogs

- a. Anybody in charge of a dog at any time must remove the dogs' faeces forthwith from land within the "the designated area", unless they have a reasonable excuse for failing to do so. Not being in possession of a suitable receptacle to remove or dispose of the faeces does not constitute a reasonable excuse.
- b. Anybody in charge of a dog at any time must have in their possession, and produce on request by an authorised officer, a receptacle suitable for removing and disposing of dog faeces from land
- c. To put a dog(s) on a lead where an Authorised Officer deems a dog(s) to not be under proper control and likely to cause nuisance, injury or disturbance to any other person, or to a bird or another animal

Prohibitions - In all public spaces within this designated area, you are prohibited from:

4.4 Dog(s) control

- a. Allowing a dog(s) under your control to enter and remain in an area where a London Borough of Harrow notice specifies that dogs are not allowed.
- b. Allowing a dog(s) under your control to remain in an area when asked to remove them from that area by an Authorised Officer.

- c. To be solely in charge of more than 4 dogs at the same time in a public place, whether on leads or not. Unless you have been granted a professional dog walkers permit or special dispensation from London Borough of Harrow Licensing Team.

4.5 Psychoactive substances (legal highs)

- a. Consuming whether by smoking, injecting, inhaling, or any other method any psychoactive substances

4.6 Urinating/defecating and/or spitting in public

- a. Urinating and/or defecating in a public and/or communal space without reasonable excuse.
- b. Depositing saliva, mucus, or any other product from the mouth or nose without attempting to collect or eradicate the saliva or product without reasonable excuse.

4.7 Careless disposal of cigarettes and other material

- a. Disturbing materials/items left as recycling or donations at charity shops or recycling points and spreading or leaving as fly tip or waste.
- b. Disposing of any cigarettes/cigars/roll-ups into a bin without first fully and properly extinguishing them.

4.8 Highways and Vehicles

- a. Causing an unnecessary obstruction or limiting legitimate access to any shared access or path without reasonable excuse.
- b. Repairing or storing vehicles for repair or sale in the street or other location as part of a business or for commercial purposes without the landowner's express permission will be an offence
- c. Depositing any unroadworthy vehicle, these being any vehicles that are untaxed, uninsured, and/or without a valid MOT. Any vehicles declared with a Statutory Off-Road Notification (SORN) cannot be deposited unless there is prior permission.
- d. Being in charge of any vehicle left idling unnecessarily when parked whether attended or otherwise without reasonable cause, unless as part of an official examination or assessment by a mechanic.
- e. Use of or riding any bike or scooter, including e-bikes and e-scooters, in a manner which causes or is likely to cause nuisance, annoyance or alarm on pavements, paths and pedestrian only areas
- f. Causing nuisance by inappropriate use of vehicles racing; performing stunts (including but not limited to performing doughnuts, skidding, handbrake turns, wheel spinning)
- g. Causing or allowing a nuisance from loud amplified music emitted from a motor vehicle when stationary/stopped but not in traffic
- h. Causing or allowing a nuisance from loud amplified music emitted from a portable device in a public place

NB: This excludes loud amplified music being emitted in the town centre area where permission has been granted by Harrow Business Improvement District team or with permission from the London Borough of Harrow

- i. Driving over or parking on any footway, footpath or verge without reasonable excuse unless for the purpose of emergency vehicles gaining access to, or attending to, an incident

4.9 Smoking in Play Areas

- a. Smoking of any tobacco or tobacco related product, smokeless tobacco product including electronic cigarettes, herbal cigarettes or any similar substance, within the boundary of any children's designated play areas.

4.10 Illegal advertising or running events

- a. Whether directly or indirectly placing an advertisement on the highway or roadside without the Authority's or landowner's prior written permission.
- b. Promoting or running a musical/entertainment event for commercial or charitable purposes within the designated area which is not approved by the Safety Advisory Group or licensed by London Borough of Harrow

4.11 Fires and fireworks

- a. Lighting of fires or using barbeques in a public place not designated for such use or as part of an organised event approved through the responsible authority.
- b. Use of fireworks in a public place, in streets or adjacent to a public park or nature reserve without the written consent of the responsible authority

4.12 Congregating groups engaged in anti-social behaviour

- a. Loitering within the restricted area if you are causing, or reasonably perceived to be causing, intimidation, harassment, alarm or distress, or using or dealing drugs when part of a group of 3 or more people.
- b. Remaining in the specified vicinity or returning within 24 hours, when asked to disperse by an authorised officer because you have been congregating in a group of 3 or more people, where one or more person/s have been engaging in anti-social behaviour and at least one member of that group is within the designated area

5. Duration

The Order comes into effect on [date 2023] and will be in effect for a period of three years, [Date 2026].

If there is need to do so, the Council may shorten, extend or vary the order at any time in the three years. If the Council wants to extend or vary the Order, they must consult appropriate community representatives, the police and owners of the affected land on the variation.

6. Appeal

If any 'interested person' (a person living in, working in, or regularly visiting the affected area) wishes to appeal this Order, they must do so on one of two grounds (s 66 of the Anti-Social Behaviour, Crime and Policing Act 2014):

- 1) The Council did not have the legal power to make the Order.
- 2) The Council did not follow all the requirements listed in Chapter 2 of the Anti-Social Behaviour, Crime and Policing Act 2014.

The interested person(s) must appeal the Order with an application to the High Court within six weeks of the Order being made.

7. Information

Further information about the PSPO and matters related within it, can be found at www.harrow.gov.uk/licensing

8. Appendices

- 1 Designated area – Whole Borough

Appendix 1
Designated area – Whole Borough



- Belmont,
- Canons,
- Centenary,
- Edgware,
- Greenhill,
- Harrow on the Hill,
- Harrow Weald,
- Hatch End,

- Headstone,
- Kenton East,
- Kenton West,
- Marlborough,
- North Harrow,
- Pinner,
- Pinner South,
- Rayners Lane,

- Roxbourne,
- Roxeth,
- Stanmore,
- Wealdstone North,
- Wealdstone South,
- West Harrow.