

Boroughwide, Parks, Open Spaces, Graveyards and Cemeteries

Borough wide

Brent Council is consulting on extending the Boroughwide Public Spaces Protection Order (PSPO) from 11th August 2025 – 5th October 2025 to prohibit street drinking.

Brent Council currently has a borough wide Public Spaces Protection Order which expires on 31 January 2026. Street drinking over the years has seen a upward trend, however alcohol consumption remains a driver for antisocial behaviour related incidents. There have been approximately 30,619 calls to the Police between February 2023 and October 2025 with **55%** of Rowdy or Inconsiderate Behaviour related offences involving alcohol. Appendix 17

Due to the way the Metropolitan Police Service record their data, it is not possible to distinguish which incidents relate specifically to Street drinking. However, the data provides a useful indication of where alcohol consumption is driver to ASB incidents.

The Council's Environmental Enforcement Team and the Neighbourhood Patrol Team, who are authorised teams to enforce the PSPO, have issued 2565 Fixed Penalty Notices for street drinking non-compliance from 1st February 2023 to 31st Oct 2025. This accounts for 58.9% of the total Fixed Penalty Notices issued by the team. Appendix 18

The extension of this PSPO will maintain the Council's ability to continue to monitor and take enforcement action where necessary, including safeguarding members of the public and signposting individuals to alcohol treatment services commissioned by Brent

Alongside the PSPO powers, New beginnings is commissioned by Brent Public Health to engage and support, hard to reach / vulnerable street drinkers. The Brent Joint Action Group as part of partnership working task New beginnings and B3 to outreach hotspot areas who are currently supporting vulnerable street drinkers identified to help them access treatment and other support services to turn their lives around.

The Council's current approach where someone is evidenced to have been drinking alcohol on the street is to approach the individuals concerned, issue warning and request them to stop drinking alcohol. If they fail to comply, a fixed penalty notice is issued. A vulnerability protocol is in place between the police and council to ensure that those with mental health, substance misuse issues and or other vulnerabilities have enforcement waivered and are triaged to support services.

Enforcement data is also monitored to see if there are adverse impacts on those persons with protected characteristics as set out in the Equalities Act 2010. Individuals who continue to breach after being issued with a fixed penalty notice will be referred for prosecution and be subject to other anti-social behaviour tools and powers such as Community Protection Notices. Criminal Behaviour Orders will also be considered to ban individuals from areas. A breach of these orders could lead to a large fine or a custodial sentence at the discretion of the court.

Consultation Outcome

The consultation responses show strong support for keeping the prohibition on consuming alcohol in public places where it may cause alcohol related nuisance, such as street drinking. A large majority of respondents, **67.31%**, strongly agreed with maintaining this prohibition. A further **17.31%** agreed, meaning **85%** of respondents were in favour overall.

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Only a small proportion disagreed: **9.62%** strongly disagreed and **2.56%** disagreed. In addition, **1.92%** neither agreed nor disagreed, and **1.28%** were unsure.

These results indicate clear public backing for retaining the street drinking prohibition.



Diagram: Shows the nuisance from alcohol consumption which results in littering

Psychoactive Substances

Psychoactive substances, such as balloons, NOS and laughing gas, have become an increasing problem across the UK. Prior to 8 November 2023, nitrous oxide was controlled under the Psychoactive Substances Act 2016, which made it illegal to produce, supply, import or export the substance where a person knew, or was reckless as to whether, it would be consumed for its psychoactive effects. However, on 28 November 2023, possession of nitrous oxide has been illegal under the Misuse of Drugs Act 1971 as a Class C drug if it is, or is likely to be, wrongfully inhaled to get high.

The associated antisocial behaviour continues to cause wider harm within communities. There is also a significant environmental impact, particularly due to the volume of discarded canisters. Treating and disposing of each canister can cost on average £5, as they cannot be processed through standard waste streams because of the risk of explosion. Proper disposal may require depressurisation, while larger containers must be treated as hazardous waste. The rise in recreational gas use has therefore increased waste management costs.

It is essential that the Police have effective and efficient powers to address the use of psychoactive substances. The initial public consultation asked whether this prohibition should be removed from the PSPO. The results are shown below.

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Consultation Outcome

The consultation results show a strong preference for retaining the prohibition on psychoactive substances. A significant majority of respondents, 69.9%, opposed the removal of this prohibition. Only 16% supported removing it, while 14.1% expressed a neutral view.

These findings indicate that most participants believe the prohibition should remain in place, reflecting continued concern about the risks associated with psychoactive substances formerly known as legal highs or balloons and their impact on public spaces and community safety.

Illegal Drugs

Possession of illegal drugs such as cannabis is treated as a controlled drug contrary to S5(2) Misuse of Drugs Act 1971 and enforced by the Police. Local Authority enforcement officers are not authorised to enforce the possession of cannabis and therefore the consultation suggested the removal of such a prohibition.

Consultation Outcome

The consultation responses show strong support for keeping the prohibition on smoking cannabis. A majority of respondents, **67.3%**, said they did not agree with the Council removing this prohibition. In comparison, **17.9%** supported its removal, while **14.7%** gave a neutral response.

Overall, the results indicate that most respondents want the prohibition on smoking cannabis to remain in place.

Following the suggested removal, the Police commented on how useful the prohibition is in day-to-day Policing and how removing it would be detrimental.

The continued use of this prohibition would assist Police officers for the following reasons.

- Allows PCSOs to enforce the prohibition, giving them powers they do not have under section 19 of PACE.
- Enables Police officers to request the surrender of drugs and paraphernalia where seizure may not otherwise be justified under the Misuse of Drugs Act.
- Lets officers request items be handed over when they see someone trying to hide them, without immediately needing to conduct a search. The Police can still search in the usual way if the person refuses.
- Helps avoid criminalising children who might otherwise receive a criminal record.
- Prevents officers from having to leave the area to book items at a station, keeping them on the street during major events and routine policing.

Based on the above information and the comments provided by the Police, the second consultation asked members of the public whether the prohibition should remain. The results are shown below.

The consultation results show strong public support for applying the prohibition on the use of illegal drugs and psychoactive substances across the entire Borough and during Notting Hill Carnival weekend. A significant majority, **81.8%** of respondents, agreed with the

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proposal, indicating broad endorsement of the measure and recognition of the need for Borough-wide consistency in enforcement.

A smaller group, **14.3%**, did not support the prohibition being applied in this way. Their responses may reflect concerns about enforcement, proportionality, or the scope of the restriction.

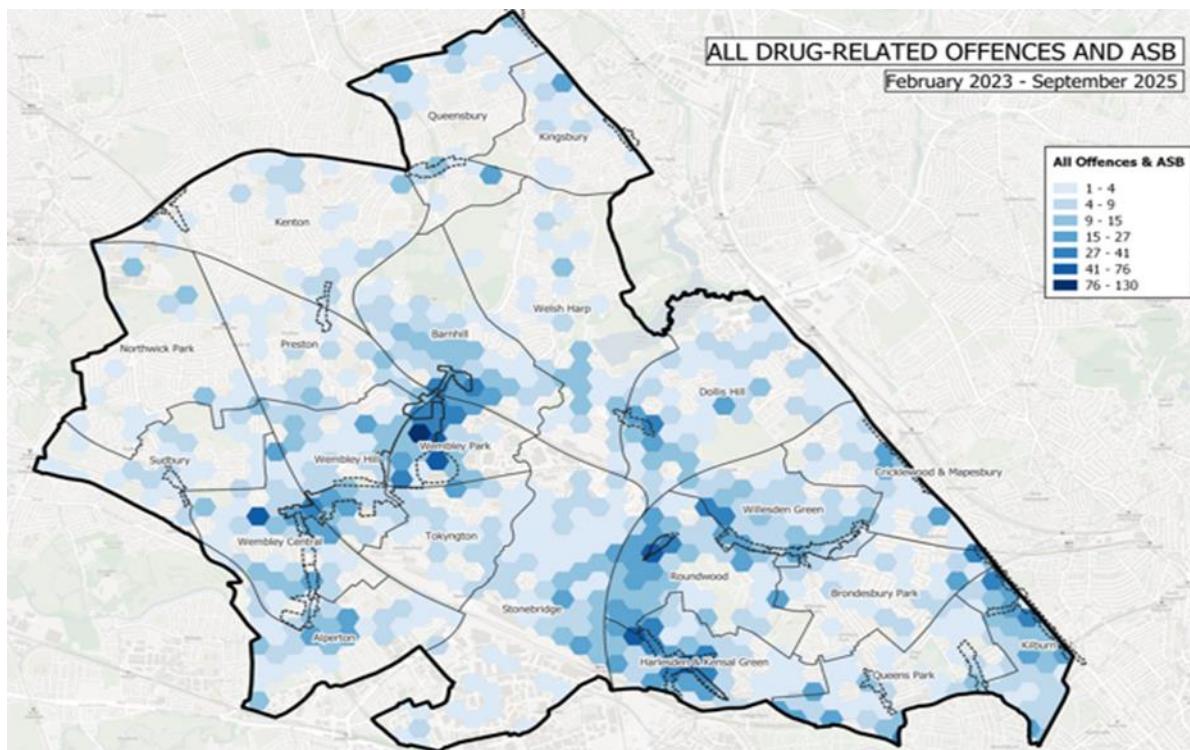
Only **3.9%** of respondents selected “Not Applicable,” suggesting that most participants felt able to form a clear view on this issue.

Overall, the feedback demonstrates strong community backing for the prohibition and its Borough-wide application during this high-profile event.

Retaining this prohibition would therefore allow Police officers to deal with the consumption of nitrous oxide more efficiently.

The heat map below shows all drug-related offences and incidents of ASB recorded between February 2023 and September 2025. Due to the way the Police record drug offences, it is not possible to distinguish which incidents relate specifically to nitrous oxide or cannabis. However, the data provides a useful indication of where drug offences are occurring across Brent.

For clarity, the heat map includes drug-related ASB, drug possession, and drug trafficking offences.



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Public Health Nuisance (Urination, Defecation, Spitting including paan or Littering) to cause alarm and health concerns

Urination and defecation, the Crown Prosecution Service (CPS) does not classify urinating in the street as a basic offence that would fall under Section 5 of the Public Order Act 1986 [Public Order Act 1986](#), and enforceable by the Police. However, urination in the street can be part of a drunk and disorderly offence, but the offence must also include evidence of abusive language or disorderly behaviour. Urination alone is not enough for the police to take action.

Spitting also seen as public health concern. Paan chewing and spitting causes serious health and environmental damage and costs the council over £30,000 to clean up each year. [Paan spitting 30k clean-up bill sparks crackdown | Brent Council](#)

Litter also has the potential to cause harm to human health, safety, welfare, as well as harm the environment such as wildlife and habitats. In addition, food people drop – whether it is half-eaten burgers, chips or apple cores - can attract pigeons and vermin such as rats

Consultation Outcome

The consultation responses show strong support for keeping the prohibition on Public Health Nuisance (Urination, Defecation, Spitting or Littering) to cause alarm and health concerns. A large majority of respondents, **85.9%**, strongly agreed with maintaining this prohibition. A further **5.77%** agreed, meaning **91%** of respondents were in favour overall.

Only a small proportion disagreed: **6.41%** strongly disagreed and **1.28%** disagreed. In addition, **0.64%** neither agreed nor disagreed, and **0%** were unsure.

These results indicate clear public backing for Public Health Nuisance (Urination, Defecation, Spitting or Littering).

Dog fouling

Dog fouling is often seen as one of the most offensive types of nuisance anti-social behaviour, affecting parks and streets. Dog excrement is also a public health risk and no person using the streets or parks of Brent should have to worry about this risk of infection. Dog remains an issue. Removing this prohibition would likely increase the issues surrounding dog fouling.

Consultation Outcome

The consultation responses show very strong support for keeping the prohibition on dog fouling. The majority of respondents, **85.9%** strongly agreed that the prohibition should remain in place, with a further **7.05%** agreeing. Only small numbers selected neither agree nor disagree (**0.64%**) or did not know (**0%**). **1.28%** of respondents disagreed and **5.13%** strongly disagreed.

These results indicate clear public support for retaining the requirement to pick up dog fouling in public areas.

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Within town centres and within 500 metres of transport hubs (including rail and tube stations), the following are prohibited: -

Use of megaphone or microphone with speaker

The ASB Team have seen an increase in number of complaints in relation to the use of megaphone or microphone with speaker within the town centre of constant nuisance as various groups use this equipment which result to nuisance due to the prolong and constant use. The police cannot take action on the use of megaphone, however the prohibition under PSPO will allow the council to response to such nuisance .

Consultation Outcome

The consultation responses show very strong support for keeping the prohibition on use of megaphone or microphone with speaker. The majority of respondents, **68.59%** strongly agreed that the prohibition should remain in place, with a further **15.38%** agreeing. Only small numbers selected neither agree nor disagree (**5.77%**) or did not know (**0%**). **3.21%** of respondents disagreed and **7.05%** strongly disagreed.

These results indicate clear public support for retaining the prohibition on use of megaphone or microphone with speaker in town centres and within 500 metres of transport hubs.

Aggressive begging

Aggressive begging can be intimidating, especially when combined with drunken, noisy or lewd behaviour such as shouting, swearing and urinating in the street. In April 2022, the [Police, Crime, Sentencing and Courts Act 2022](#) was enacted and given royal assent. It contains a provision that would repeal the Vagrancy Act 1824, but this provision must be brought into force by the Secretary of State. This means PSPO will assist addressing the intimidation around aggressive begging

Consultation Outcome

The consultation responses show very strong support for keeping the prohibition on aggressive begging. The majority of respondents, **75.64%** strongly agreed that the prohibition should remain in place, with a further **11.54%** agreeing. Only small numbers selected neither agree nor disagree (**3.85%**) or did not know (**0.64%**). **1.28%** of respondents disagreed and **7.05%** strongly disagreed.

These results indicate clear public support for retaining the prohibition on aggressive begging in town centres and within 500 metres of transport hubs.

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Parks, Open Spaces Graveyards and Cemeteries

Parks, Open Spaces, Cemeteries and Graveyards PSPO have existing 19 prohibitions however, two prohibitions are removed littering which will be addressed using the Environmental Protection Act (EPA) 1990 and launching of sky lanterns which have not evidence to support current prohibition. One new proposed prohibition, namely - Building illegal structures without permission from Park Services. This new prohibition is to address the proliferation of structures built by individuals camping in the parks and open spaces.

All existing prohibitions have been justified by the Head of Parks and Green Infrastructure. Please see appendix 21 for further information and justification with is taking as Officer's statement

New Prohibition - Unauthorised structures without permission from Park Services

The Head of Parks and Green Infrastructure stated "*the issue is so great that we have removed over 15 unauthorised structures from our parks this year alone and people are choosing to build large structures rather than use tents. There is a current large structure in Monks Park built of breeze blocks over the river which we are having to remove at a cost of around £20K.*"

The Corporate Director Children, Young People and Community Development in consultation with the Lead Member for Safer Communities and Public Protection and Lead Member for Public Realm and Enforcement should consider carefully the pros and cons of restricting this prohibition.

Consultation Outcome

The consultation responses demonstrate clear support for the inclusion of the prohibition in Parks and Open spaces. Most respondents (84 %) agreed prohibiting unauthorised structures in park with permission.

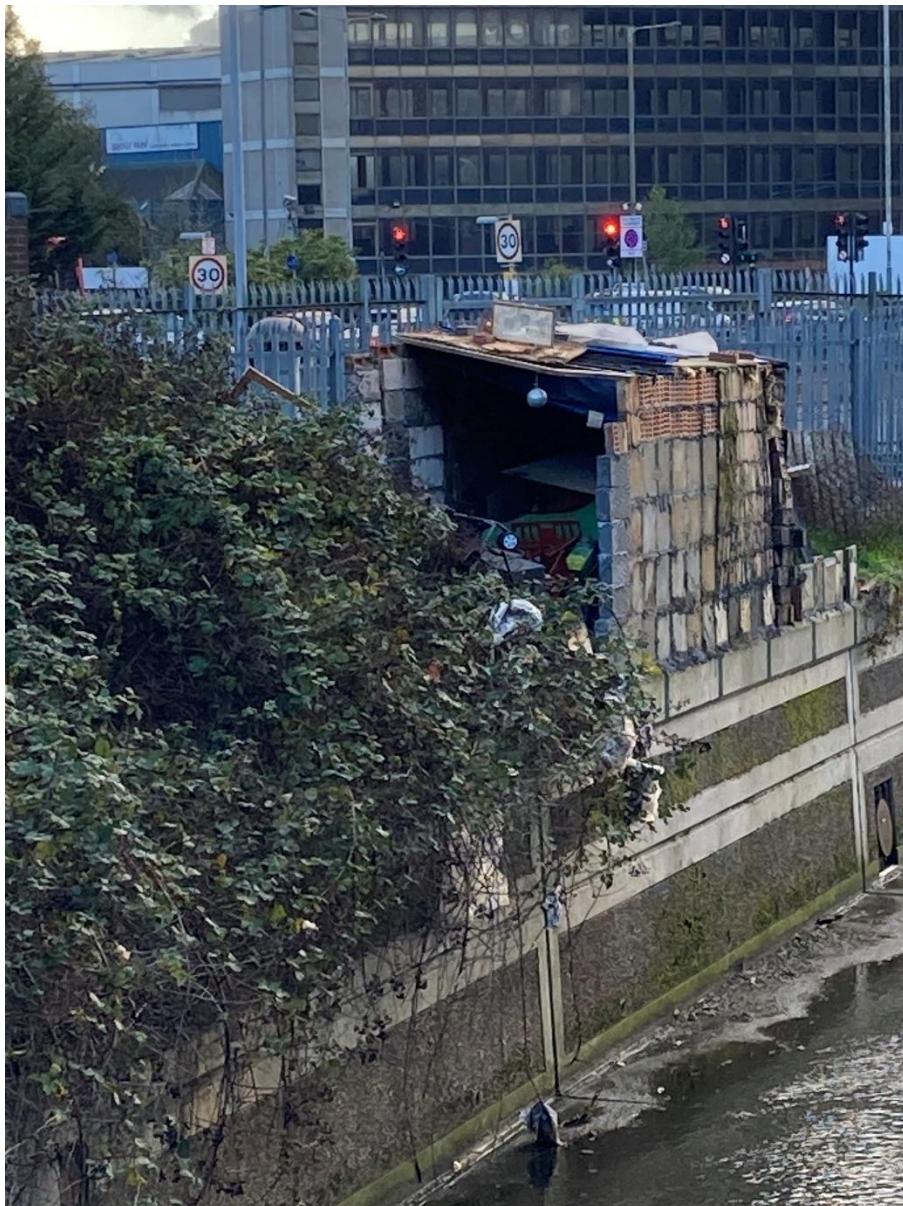
A smaller proportion, 8.9% of respondents, disagreed with the proposal.

Overall, the majority response indicates public support for introducing this prohibition as part of the PSPO.

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Cemeteries

Complaints received by the Cemeteries team have shown detrimental effect experienced by visitors to the cemeteries. In 2023, 31 complaints were received, 2024 – 48 complaints received and 2025 – 29 complaints. Appendix 19.

The types of complaints received have been categorised below.

Key Complaint Types
Dog out of control
Dog urinating on graves
Dog removing items from graves
Dog on dog attack
Dog fouling on grave
Dog running up to grave owners
Dog running over graves
Dogs running over war graves
Dog on human attack

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Too many dogs
Too many professional dog walkers
Paw prints on memorial
Dog walkers – exceeding 4 dogs
Aggressive and abusive dog owner
Aggressive dog - jumping up
Ball throwing
Dogs on the mound
Afraid to visit cemetery
Lack of respect for graves
Dog locked in cemetery
Stepped in defecation

The complaints received were mainly around Dog walkers to the Paddington Old Cemetery. A review was done recently which was varied on 7th March 2025. The varied prohibition will be implemented in the forthcoming extension of the PSPO. A representation was received from the secretary of Dogs of Paddington Old Cemetery (DOPOC) with the following statement "DOPOC agree that PSPOs, if used appropriately, can be a valuable tool. However, the approach taken by Brent to off-lead dog walking in POC does not seem to be in the spirit of the Local Government Association's Public Spaces Protection Orders Guidance for councils that "when used appropriately, proportionately and with local support, PSPOs can be a positive device that helps to prevent anti-social behaviour". We reiterate that local support was lacking (61% of respondents to the 2024 Brent consultation supported off-lead dog walking) and the decision was not proportionate as other options were not evaluated.

According to the response from the consultation, 52.3% visit the cemeteries while 46.3% do not. **28.2% out of the 52.3% visit** the Paddington Old Cemetery. 17.9% responded they have experienced or observed issues involving dogs being off – lead while 24.4% not sure and 57.7% have not observed the behaviour.

As for dog fouling **54.5 %** responded they have not noticed this behaviour, **24.4%** not sure and **21.2%** stated the behaviour had been noticed