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**Scrutiny Co-ordination Committee  
Cabinet**

17 April 2019  
11 June 2019

**Name of Cabinet Member:**

Cabinet Member for Policing and Equalities – Councillor A S Khan

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

St Michaels, Radford, Foleshill, Sherbourne, Lower Stoke

**Title:** Creation of a Public Spaces Protection Order for St Michaels and surrounding areas

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**Is this a key decision?**

Yes – The proposals affect more than two wards in the City

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**Executive Summary:**

On the 12<sup>th</sup> February, permission was granted by Cabinet for a public consultation on the possible creation of a Public Spaces Protection Order (PSPO) for St Michaels ward and adjoining areas. The order is designed to address anti-social behaviour and criminal and sexual exploitation of young people.

The consultees and partners were overwhelmingly supportive of the proposed PSPO and the geographical area to be covered by this Order. The Order and the results of the consultation were also considered by the Scrutiny Co-ordination Committee.

This report therefore seeks Cabinet approval to create this new PSPO which will assist Police Officers in predominantly keeping young people in the city safe.

**Recommendations:**

The Scrutiny Co-ordination Committee is recommended to:

1. Consider the contents of the report and make any recommendations to Cabinet.

The Cabinet is recommended to:-

1. Consider the recommendations made by Scrutiny Co-ordination Committee.
2. Approve the Public Spaces Protection Order for St Michaels and surrounding areas.

**List of Appendices included:**

Appendix 1 – Draft Public Space Protection Order for St Michaels and surrounding areas

Appendix 2 – Map outlining the area covered by the PSPO

Appendix 3 – Results of the consultation

Appendix 4 – Partner Impact Statements and relevant supporting evidence

Appendix 5 – Equality and Consultation Analysis

**Background papers:**

None

**Has it been or will it be considered by Scrutiny?**

The report was considered by Scrutiny Co-ordination Committee on 17<sup>th</sup> April 2019.

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

**Report title:** Creation of a Public Spaces Protection Order for St Michaels and surrounding areas

## **1. Context (or background)**

- 1.1 There is significant Police and local intelligence that we have specific problems in the City Centre and surrounding areas regarding anti-social behaviour, drug use, drug dealing and exploitation of young people, both criminally and sexually. In addition we have seen an increase in public place violence including gun and knife crime.
- 1.2 On the 12<sup>th</sup> February 2019, Cabinet approved that a public consultation could be carried out regarding the introduction of a Public Space Protection Order for St Michael and surrounding areas; designed to assist the Police in addressing these issues.
- 1.3 Scrutiny Co-ordination Committee have also considered the introduction of this proposed PSPO, the geographical area that it is designed to cover and the results of the public consultation and impact statements from our partners.

## **2 Options considered and recommended proposal**

- 2.1 **Do nothing (not recommended).** The Police and local authority, in some cases, already have powers to deal with certain adverse behaviour covered in the proposed PSPO. However, these current powers are viewed as being overly bureaucratic and could quickly result in offenders obtaining criminal records, which may adversely affect their future employment prospects. It is believed that the new additional powers will assist the Police in efficiently addressing the relevant issues.
- 2.2 **Approve the Public Spaces Protection Order for St Michaels and surrounding areas (recommended).** The introduction of a specific PSPO for the designated area would provide useful powers for Police officers, to address adverse behaviours in the designated area. It is quick and easy to use, which is an important consideration when organisations are facing reductions in resources.
- 2.3 The PSPO can be enforced by simply informing someone that their behaviour is unacceptable and advising them to move on. An offence and further action only applies if they refuse. It also has the added benefit of enabling the offender to accept a fixed penalty notice rather than appear in court and receive a criminal record if enforcement is necessary. The wording of the proposed PSPO can be seen in Appendix 1. The operation of the PSPO will be in line with Home Office guidelines

## **3. Results of consultation undertaken**

- 3.1 Consultation took place over 30 days, from 13<sup>th</sup> February to 15<sup>th</sup> March 2019 and received overwhelming public support over 90% of consultees supported the introduction of the proposed PSPO and over 80%% supported the proposed geographical area over which the PSPO would apply.
- 3.2 Some consultees believed that the PSPO should cover all of the city. However, the evidence from the Police and partners is not sufficient to justify a geographical area of this magnitude. Officers believe that the proposed geographical area is sufficient to address the issues previously mentioned and any displacement from so called 'hot spot' locations. The results of the consultation can be seen in Appendix 3.

## **4 Timetable for implementing this decision**

- 4.1 Should the order be approved by Cabinet it will be implemented at the earliest practicable date.

## **5 Comments from Director of Finance and Corporate Services**

### **5.1 Financial implications**

No additional resource will be required to implement the proposed PSPO. Any additional income generated by the introduction of a PSPO will contribute towards Council resources.

### **5.2 Legal implications**

Under sections 59-75 of the Anti-social Behaviour, Crime and Policing Act 2104, local authorities have powers to make PSPO's for a period of up to three years.

The Council can only make a PSPO when it is satisfied on reasonable grounds that the activities carried out or likely to be carried out in a public place have a detrimental effect on the quality of life of those in the area and are persistent, continuing and unreasonable. The Council would also need to be satisfied that the restrictions imposed were justified

PSPO's can only apply to public places. This means any place to which the public, and / or sections of the public, on payment or otherwise, have access to as of right or by virtue of express or implied permission.

In line with other PSPO's in Coventry, any Fixed Penalty Notice for non-compliance with a PSPO will be set at £100 reduced to £60 if paid within 14 days. If the Fixed Penalty Notice is not paid, it is the Council's policy to prosecute the offender in the Magistrates` Court, where the maximum fine is currently £1000 (level 3 on the standard scale)

## **6 Other implications**

### **6.1 How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?**

#### **Crime and Disorder**

Tackling crime and anti-social behaviour through partnership working is central to the delivery of the Community Safety Plan and Strategic Assessment.

### **6.2 How is risk being managed?**

Police and City Council Officers continue to incorporate the area in their patrol strategies/ work schedules, and they will monitor the behaviour of individuals in these specific locations.

### **6.3 What is the impact on the organisation?**

None

### **6.4 Equalities / EIA**

The impact on protected groups as defined by the Equality Act 2010 is considered in the Equality and Consultation Analysis at Appendix 5. At present it is not considered necessary to take any particular steps to prevent the negative impact on any particular protected groups as a result of the introduction of the proposed PSPO

## **6.5 Implications for (or impact on) the environment**

The purpose of taking action is to address adverse behaviours in the City Centre, in an attempt to protect and improve the environment and wellbeing of the community.

## **6.6 Implications for partner organisations?**

Powers granted will be available to West Midlands Police.

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