

Cabinet 1st October 2024 - AGENDA ITEM 5

Addendum to Appendix 3 - Responses from Key Partners

Response from Simon Foster, Police and Crime Commissioner for the West Midlands	Action
<p>1. I would be interested to understand what evidence base has formed Coventry City Council's decision to propose the renewal of the PSPO? What level of enforcement in the previous period of the PSPO has occurred? Is there an evidence base, to illustrate that the PSPO has been effective, in preventing the prohibited behaviour? Is there an evidence base, to suggest that MPVs and public intoxication are significant issues in Coventry?</p>	<p>Noted. Considered at 2.1 and Appendix 3 of the report: Response from Key Partners (Coventry City Services Directorate, West Midlands Police and the Business Improvement District).</p>
<p>2. A Local Authority must have due regard to the Public Sector Equality Duty, pursuant to s.149 Equality Act 2010. There appears to be no consideration of the elderly's use of mobility scooters in the Equality Impact Assessment. Has Coventry City Council considered whether mobility scooters would be affected by restrictions on MPVs, with the unintentional consequence that people the PSPO aims to help are instead disproportionately disadvantaged? If so, how has this informed the decision whether to make a PSPO or not? If not, why not?</p>	<p>Noted. Considered at Appendix 5 of the report: Equality Impact Assessment.</p> <p>Enforcing these measures is subjective and done individually. While rare, stolen or misused mobility scooters could pose a risk, therefore an absolute exemption is not recommended.</p>
<p>3. If the PSPO is to be renewed, then it should be possible to evidence past capability of being effectively enforced. Since Coventry City Council has used PSPOs, how effective have they been: How many Fixed Penalty Notices have been imposed? How many Fixed Penalty Notices have been paid? If they were not paid, how many have resulted in criminal prosecution? If any have resulted in criminal prosecution, what was the outcome? How many Fixed Penalty Notices related to repeat offenders? Did the imposition of the Fixed Penalty Notice prevent, tackle and reduce the anti-social behaviour?</p>	<p>Noted. Earlier this year the joint protocol on the enforcement of the city centre PSPO was signed by the police and local authority. Enforcement and public engagement of the city centre PSPO have been monitored and will be mirrored for the city wide PSPO. Officers will collaborate with the OPCC to provide the necessary data/information.</p>

4. Bearing in mind the express reference in the Statutory Guidance for frontline professionals, to the need to consider the possibility of displacement of prohibited activities and the unintended consequences of a PSPO, what steps have been taken to consider this? What consideration has been given by Coventry City Council, to the effect that the PSPO might have in displacing the prohibited behaviour to other geographical locations or making it more likely that a person engages in the prohibited activity?

Noted. Since this is a city wide PSPO, any issues identified will be addressed, ensuring minimal displacement.