
REPORT TO:	HOUSING AND COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 10
DATE OF MEETING:	22nd AUGUST 2019	CATEGORY: RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR OF SERVICE DELIVERY	OPEN
MEMBERS' CONTACT POINT:	CHRIS SMITH - Tel: 595924 / chris.smith@south-derbys.gov.uk	DOC:
SUBJECT:	EXTENSION OF THE PUBLIC SPACE PROTECTION ORDER FOR SWADLINCOTE TOWN CENTRE	
WARD(S) AFFECTED:	SWADINCOTE TOWN CENTRE	TERMS OF REFERENCE: (See Notes)

1.0 Recommendations

- 1.1 That the Committee accepts the recommendation to extend the existing Public Space Protection Order (PSPO) for Swadlincote Town Centre for a further three year period

2.0 Purpose of the Report

- 2.1 To inform the Committee of the details of the proposed PSPO.
- 2.2 To provide the Committee with information on how the PSPO has been used and with evidence of why the PSPO is still required.
- 2.3 To inform the Committee of how the PSPO will be enforced.

3.0 Detail

- 3.1 PSPOs were introduced through the Anti-Social Behaviour, Crime and Policing Act 2014 and are designed to stop individuals or groups of individuals committing anti-social behaviour in a public space. In order for a PSPO to be made the Council has to be satisfied that the behaviour carried out or behaviour that is likely to be carried out meets the following requirements:-
- The behaviour has had or is likely to have had a detrimental effect on the quality of life of those in the locality;
 - is, or is likely to be persistent or continuing in nature;
 - is, or is likely to be unreasonable; and
 - justifies the restrictions imposed.
- 3.2 The PSPO for Swadlincote Town Centre came into force on 15 September 2016. In compliance with the Anti-Social Behaviour, Crime and Policing Act 2014 PSPO's

have a maximum duration of three years, at which time it must be reviewed. If the review supports an extension it may be extended for up to a further three years. There is no limit on the number of times a PSPO may be reviewed and extended.

- 3.3 The PSPO has been a vital tool in assisting both the Police and authorised Council Officers to tackle and reduce incidents of anti-social behaviour within the Town Centre that affect both members of the community and our local businesses.
- 3.4 The existing PSPO has been used to confiscate alcohol or move people out of the area on more than 50 occasions.
- 3.5 Whilst there has been a small reduction in Anti-Social Behaviour (ASB) calls to service over the past 12 months, there are still issues with street drinkers and on occasions with groups of young people causing a nuisance.
- 3.6 ASB Police recorded calls for service in Swadlincote Centre Local Super Output Area (LSOA) have seen a slight decrease since the PSPO has been in place.

2016/17- 394

2017/18- 461

2018/19- 370

- 3.7 Despite the slight reduction in ASB calls, Swadlincote Centre LSOA still has the highest number of ASB police calls for service in the District. The next highest in 2018/19 had 124 calls for service.
- 3.8 Swadlincote Centre is also fifth highest LSOA in the County for ASB police calls to service
- 3.9 Consultation has taken place with Derbyshire Constabulary who is in full support of extended the Town Centre PSPO for a further three-year period.
- 3.10 Direct public consultation has taken place with local businesses and town centre traders regarding the proposed extension of the PSPO. From the responses received back, one hundred percent supported the extension of the PSPO.
- 3.11 The extension of the PSPO was fully supported by attendees and Elected members at the Swadlincote Area Forum, which took place on 18 June 2019.
- 3.12 Full details of the proposed PSPO, including the map of the area, the prohibitions and who can enforce the PSPO can be found in Appendix 1. It is recommended the existing prohibitions remain the same.

4.0 Financial Implications

- 4.1 The only cost is to advertise the PSPO in the local media and to purchase new signage for displaying the details of the PSPO around the town centre. Both of these costs will be met from the existing budget held by the Communities Team for the Safer South Derbyshire Partnership.

5.0 Corporate Implications

- 5.1 The PSPO, if extended will work towards achieving four of the actions within the Corporate Plan; PL3 - Help maintain low crime and anti-social behaviour levels in the District and PL4 - Connect with our communities, helping them to feel safe and secure, PL6. Deliver services that keep the District clean and healthy, PE3 - Use existing tools and powers to take appropriate enforcement action
- 5.2 Employment Implications – The extension of the PSPO will be of particular use to the new Swadlincote Town Centre based Community Safety Enforcement Officer (CSEO) who, along with the other CSEO's, Police Constables and Police Community Support Officers have authorised powers to enforce the PSPO.
- 5.4 Legal Implications – Failure to comply with a PSPO enables authorised enforcement officers to issue fixed penalty notices of up to £100, or the person could find themselves prosecuted. A breach is a criminal offence and there is a maximum penalty of a £1,000 on prosecution.

6.0 Community Impact

- 6.1 Consultation – Local shops and businesses have been consulted about extending the PSPO along with Local Councillors and partner agencies operating within the Town centre. All have been in favour of extending the PSPO for a further three-year period.
- 6.2 Local businesses have responded that there are still issues in the Town Centre and want to see a more visible enforcement presence. The need for the extension of the PSPO has been identified to assist with tackling the ongoing nuisance and ASB associated with street drinkers and on occasion groups of young people.
- 6.2 The Council has recently recruited an additional CSEAO whose role is primarily to patrol the Town Centre providing a visible presence and to liaise with local shops and businesses. The Officer will be able to assist in enforcing the PSPO to reduce the impact of ASB on members of the public and the business community.
- 6.3 Equality and Diversity Impact - It is not considered that there will be any specific Equality and Diversity impact in extending the PSPO for a further three-year period.

7.0 Conclusions

- 7.1 There is total support from the local community and police for the extension of the PSPO in Swadlincote Town Centre. Although it has been used to good effect over the past three years there is still evidence to show there is still ASB occurring and a need for further enforcement to take place to tackle the issues.
- 7.2 The extension of the PSPO will continue to offer increased powers to the police and authorised Council Officers to enable them to tackle the ongoing issues, primarily through confiscating alcohol from street drinkers and to disperse any individuals or groups out of the town centre for a period of 24 hours if they are causing a nuisance.
- 7.2 The PSPO has also assisted the Communities Team and the Police in obtaining a number of successful prosecutions against some of our most prolific town centre offenders including Criminal Behaviour Orders.

8.0 Background Papers

8.1 Appendix 1 – Details of Public Space Protection Order 2019 Extension