

Public Space Protection Order (PSPO)

Anti Social Behaviour, Crime and Policing Act 2014

Consultation



Public Space Protection Order (PSPO)

The Public Space Protection Order is intended to deal with a particular nuisance or problem in a specific area which is detrimental to the local community's quality of life, by imposing conditions on the use of that area.

The order could also be used to deal with possible future problems.

It will replace Designated Public Place Orders, Gating Orders and Dog Control Orders.

Purpose

Designed to stop individuals or groups committing anti-social behaviour in a public space.

Who can make a PSPO?

Councils issue a public spaces protection order after consultation with the Police and Crime Commissioner and other relevant bodies.

Test for nuisance or problem?

Behaviour being restricted has to:

- Be having, or be likely to have, a detrimental effect on quality of life of those in the locality.
- Be persistent or continuing nature, and
- Be unreasonable.

Standard of proof is the Civil Standard, that is the balance of probabilities.

Details

1. Restrictions and requirements set by the council.
2. These can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times.
3. Can restrict access to public spaces where that route is being used to commit anti-social behaviour.
4. Can be enforced by a police officer, police community support officers, and council officers.



Penalty on breach

Breach is a criminal offence.

Enforcement officers can issued a fixed penalty notice of up to £100 if appropriate.

A fine of up to level 3 on prosecution.

Appeals

Anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue.

Further appeal is available each time the PSPO is varied by the council.

Important changes/differences

More than one restriction can be added to the same PSPO, meaning that a single PSPO can deal with a wider range of behaviours than the order it replaces.

Last for up to 3 years (can be extended for a further 3 years prior to it lapsing)

Enforcement

All PSPO's are to be managed through the Safer Communities Group including the enforcement.

Following consultation with all partner agencies the most appropriate resolution will determined.

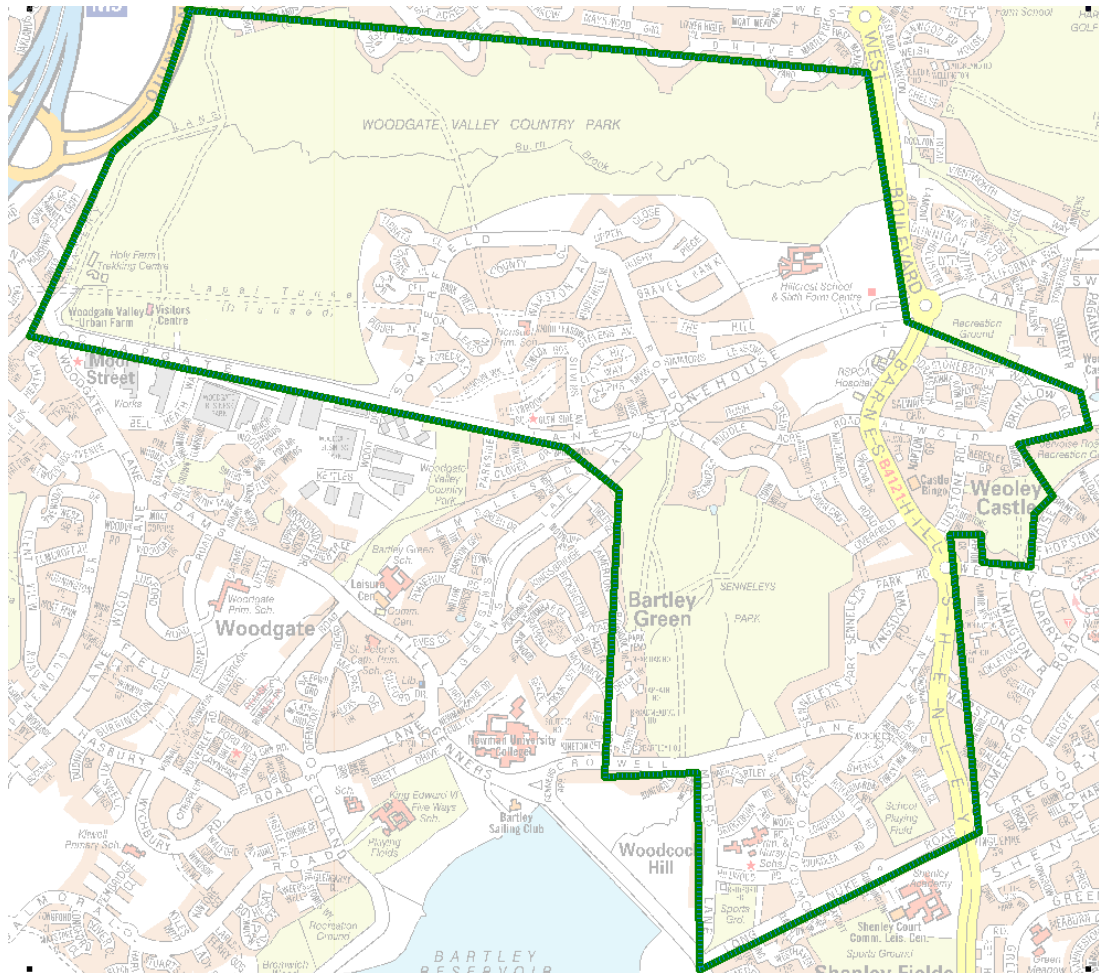
Proposal

An application is underway for a PSPO for a specific area within the Bartley Green Ward whereby it has been identified that:

- The illegal use of motorbikes, quad bikes and scrambler bikes
- and/or
- Groups of three or more people

have been engaging in activities which have caused nuisance, annoyance, harassment, alarm and distress

PSPO Proposal



The following prohibitions and requirements will be enforceable within the scope of this public space protection order. These only apply to public spaces and do not apply to private dwellings or business.

Anti-social behaviour prohibitions:

1. Groups of three or more persons engaging in activities which are likely to cause nuisance, annoyance, harassment, alarm or distress.
2. Illegal use of motorbikes, quad-bikes, and scrambler bikes in public spaces.

Agency Consultation phase

February 2015

Request for PSPO logged with the local Safer Communities Group.

June 2015

Application presented to BS LPU and BCC Command Team.

June 2015

Application presented to Constituency MP and local Councillors

Public Consultation

Monday 6th July at 6pm

Plough Avenue Sheltered Housing Scheme
Plough Avenue
Bartley Green, Birmingham B32 3TQ

and

Wednesday 8th July at 6pm

Long Nuke Road, Bartley Green. Birmingham B31 1DX

2011 to 2012

- 1425 incidents of ASB reported
- 789 Youth & Mini Moto Related (55%)

2012 to 2013

- 879 incidents of ASB reported
- 435 of those were Youth & Mini Moto related (49%)

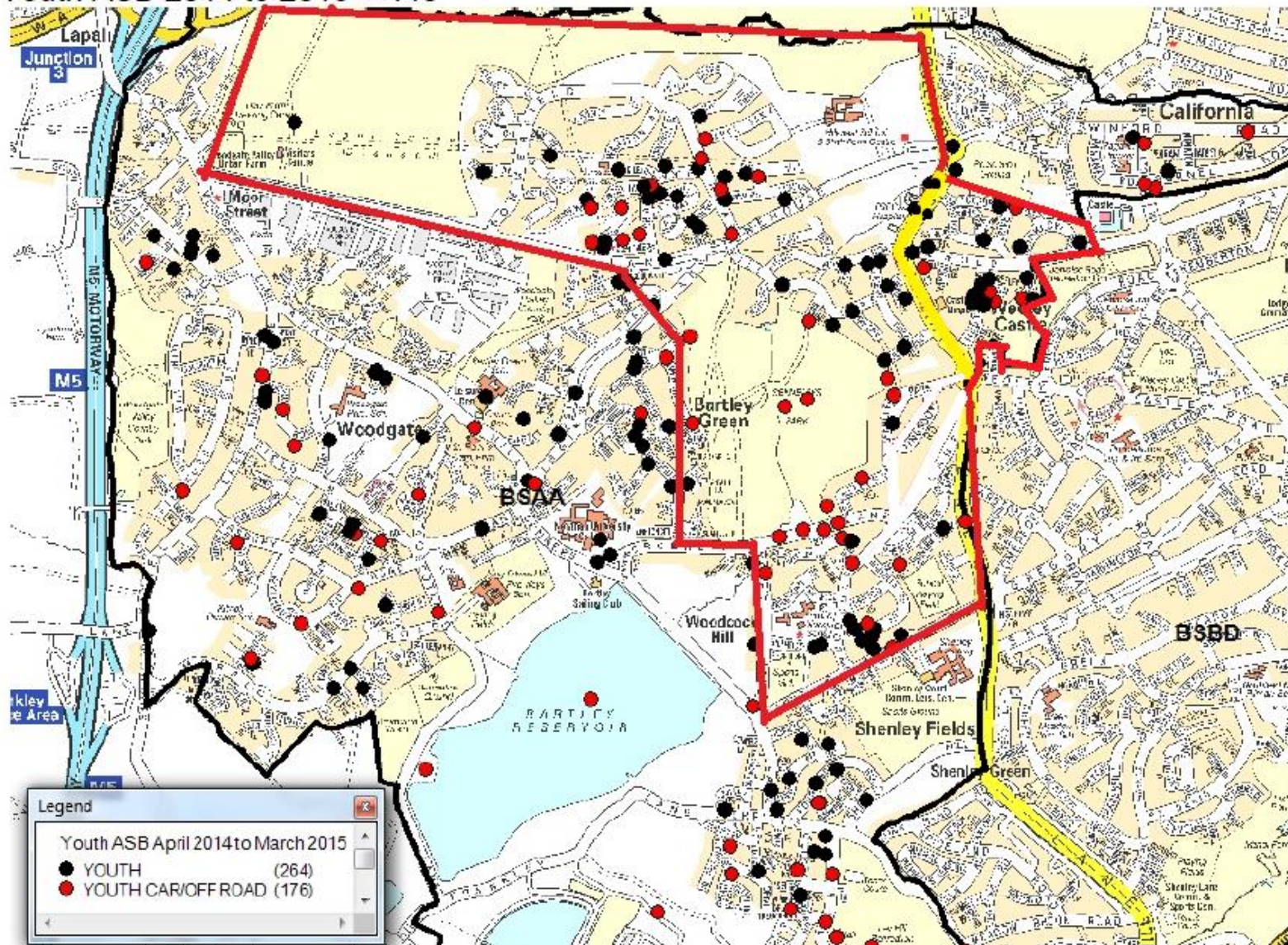
2014 to 2015

- 1133 incidents of ASB reported
- 510 of these related to Youth ASB & mini motos (45%)

Jan 2015 to April 2015

- 313 incidents of ASB reported
- 187 were youth and mini motors related (60%)

Youth ASB 2014 to 2015 = 440



Go-Live!

It is intended that this Public Space Protection Order will commence on the 1st August 2015.

The order will be in place for a period of six months.

Any Questions?

