

Public Document Pack



Simon W. Baker B.Ed MBA MISPAL
Chief Executive

COMMUNITY OVERVIEW & SCRUTINY PANEL AGENDA

Date: Monday, 13 February 2017

Time: 2.00 pm

Venue: The Dove Room, Moorlands House, Leek

3 February 2017

PART 1

1. Apologies.
2. Notification of Substitute Members, if any.
3. To Approve the Minutes of the Previous Meeting. **(Pages 3 - 8)**
4. Report of the Chairman of the Police and Crime Panel - 23rd January 2017 **(Pages 9 - 10)**
5. Urgent Items of Business, if any.
6. Declaration of Interests:
 - Disclosable Pecuniary Interests
 - Other Interests
7. Questions to Portfolio Holders, if any.
(At least two clear days notice required, in writing, to the Proper Officer in accordance with Procedure Rule 15).
8. Police Force Operational Annual Update - Inspector Mark Thorley. (Verbal Update)
9. Consultation on a Proposal to Introduce a Public Spaces Protection Order in the Area Around the Millennium Gardens, Biddulph. **(Pages 11 - 22)**
10. Work Programme **(Pages 23 - 24)**
Any additional items to be added to the Work Programme:
 - Chair's Items
 - Members' Items

SIMON BAKER
CHIEF EXECUTIVE

Membership of Community Overview & Scrutiny Panel

Councillor A Banks (Chair)	Councillor T McNicol (Vice-Chair)
Councillor C J S Atkins	Councillor J Bull
Councillor S Ellis	Councillor E Fallows
Councillor D Grocott	Councillor A Hart
Councillor B A Hughes	Councillor K J Jackson
Councillor P Jackson	Councillor L D Lea
Councillor M M Lovatt	Councillor L A Malyon
Councillor C Pearce	Councillor J Redfern
Councillor T Riley	Councillor D Shaw
Councillor P Wood	

32 **STAFFORDSHIRE FIRE AND RESCUE SERVICE ANNUAL UPDATE - BRIAN MOSS, LEAD OFFICER**

Brian Moss, Head of Northern Service Delivery Group, Staffordshire Fire and Rescue Service and Carl Mason, Station Manager for Leek and Biddulph, gave a presentation to the Panel which covered the following topics:-

- The service and the future;
- Community Fire Stations in the Moorlands area;
- Staffing arrangements;
- Demand and response arrangements;
- Moorlands Partnership and partnership arrangements;
- Community Room usage

Following the presentation, Members had the opportunity to give feedback and ask questions. Discussion took place around the feasibility of the ambulance service being based at Cheadle Fire Station, the importance of rural stations and recruitment into the service.

Members were pleased that Safe and Well Checks were carried out by Fire Officers but had some reservations around how this was financially managed and how officers carried out the checks when people were reluctant.

The officers explained that the service always welcomed partners to maximise the use of facilities, recruitment was ongoing and the time for newly appointed fire officers to be operational was being reduced. There were also no plans to close rural fire stations.

Approximately 30, 000 Safe and Well Checks had been carried out, most of which were at properties which had been identified as being occupied by vulnerable people, were in areas that fires had occurred or there were issues relating to crime. Generally, people were happy to have the checks carried out due to the Fire Service being trusted within the community. Through cooperative working methods, one visit to a property could be maximised and referrals to the appropriate agencies carried out. There was a cost to provide the checks however, this helped to reduce the demand on the NHS and other agencies.

The Panel found the update to be very informative and thanked the officers for attending the meeting.

DECIDED: That the presentation be received.

33 **CITIZENS ADVICE BUREAU - IMPLICATIONS OF THE PROPOSAL TO REMOVE COUNTY COUNCIL FUNDING - SUE NICHOLS, CHIEF EXECUTIVE, CITIZENS ADVICE SOUTH WEST.**

Sue Nicholls, Chief Executive Citizens Advice Staffordshire South West, advised the Panel that Staffordshire County Council was proposing to withdraw funding for the Debt, Benefit and Consumer Advice Service. This was a county wide service which had been funded through a variety of different agreements with SCC for 30 years.

Community Overview & Scrutiny Panel - 5 December 2016

The CAB was concerned that the loss of this service would severely impact on already stretched local public and voluntary sector services, particularly local district councils, with people having nowhere to turn for free and confidential advice.

It was likely that residents in the Moorlands area would be displaced by the loss of service and have either no access to advice services or, much reduced access.

As a county wide service, the Debt, Benefit and Consumer service had, over the last two years;

- Supported over 55,000 Staffordshire residents
- Helped residents claim £14.7 million of additional income which directly contributes to the Staffordshire economy
- Helped residents deal with more than £11 million worth of debt

Local district/borough councils already recognised the value of the Citizens Advice service, with most districts providing direct financial support. There was a widely recognised acknowledgement of the benefits and despite the financial pressures local councils face themselves through budget cuts, they had worked closely with local services to retain advice services which are embedded within the communities across Staffordshire.

Over the last 30 years Staffordshire County Council had provided additional funding to help develop the range of advice provision including specialist debt and benefit advisers, which have been invaluable to residents, particularly the most vulnerable and disadvantaged.

The financial contribution made by Staffordshire County Council to this current service was £511,000 per year and the collective contribution made by the District/Borough councils was just under £500,000. The CAB fully acknowledged the difficult financial challenge that the Staffordshire County Council faced.

Given that in the last two years the Citizens Advice service in Staffordshire as a whole, helped residents gain more than £42million in additional income, this being a substantial boost to the economy, it demonstrated the value and cost effectiveness of the service.

The impact of the loss of income from Staffordshire County Council could not only seriously impact on the advice services available across the county but it could also seriously impact on the advice sector across Staffordshire with the loss of jobs, skills and experience, loss of services, loss of volunteer opportunities and in some districts, see the closure of local Citizens Advice services.

Some local district services were already struggling to maintain their services and had said that without the financial support from the county, they would be unsustainable and have to close, potentially from April 2017. This could cause real “advice deserts” across the county and would doubly impact on district councils and the local Citizens Advice that remained open.

Citizens Advice offices across Staffordshire and their partners wanted to continue to work collaboratively with the Districts and County Council to deliver services that helped to meet both the strategic objectives and vision to be a healthy, prosperous and happy place to live, but also the direct needs of its residents.

Community Overview & Scrutiny Panel - 5 December 2016

Members commented how invaluable the CAB Service was and felt that if branches were to close many people would be detrimentally impacted.

The Panel fully supported the CAB in retaining funding from the County Council and requested that a letter was sent to the relevant Cabinet Member in advance of the Council meeting on the 8th December 2016. A petition containing 11, 500 signatures would be presented at this meeting and the CAB had been advised that the County would review its decision.

DECIDED: That the information be received and a letter sent to the County Council.

34

COMMUNITY SAFETY UPDATE - DAVID SMITH, PRINCIPAL OFFICER COMMUNITIES AND PARTNERSHIPS

David Smith, Principal Officer Communities and Partnerships and Vicky Ellis, Member and Community Support Officer, were in attendance at the meeting to provide a Community Safety update to Members.

Every district or borough in the country must have a partnership that met to look at crime and disorder issues. For the Moorlands the partnership was called the Moorlands Together Safer and Stronger Communities Partnership. The partnership was chaired by the Council's Portfolio Holder for Communities.

The partnership included organisations such as Staffordshire Moorlands District Council, Staffordshire County Council, Staffordshire Police, Your Moorlands, and Staffordshire Fire and Rescue Service.

Other organisations which the partnership worked with included community groups, residents' associations, schools and colleges and organisations such as Arch (domestic abuse), Connected Communities (child sexual exploitation), CGL (formerly CRI – young people's substance misuse) and Sporting Communities.

Legislation required the partnership to work together to tackle:

- Crime and disorder;
- Antisocial behaviour;
- Behaviour that spoils the local environment;
- Misuse of drugs and alcohol; and
- Adult and youth reoffending.

Each year, the partnership was required to produce a community safety strategic assessment and used this to develop a number of priorities for the district. The assessment was produced by the County Council's Insight Team on behalf of the partnership.

Staffordshire's Police and Crime Commissioner provided £65,000 to support the delivery of activities against each of these priorities. In addition, individual agencies also committed their own finances, workers and resources to support delivery of partnership activity.

The priorities that were agreed by the partnership for 2016/17 were as follows:

- Adults at Risk;
- Safeguarding Children;
- Anti-social Behaviour;

Community Overview & Scrutiny Panel - 5 December 2016

- Substance Misuse.

The Panel was also advised that the partnership oversaw the delivery of the Police and Crime Commissioner's SPACE scheme in the district which aimed to provide activities for 11-17 year olds during the summer school holiday period.

Discussion took place around graffiti, childrens' care homes and the delivery of guidance on alcohol misuse.

DECIDED: That the update be received.

35 WORK PROGRAMME

The Panel considered its Work Programme and agreed the items listed.

DECIDED: That the Panel's Work Programme for 2016/17 be agreed.

36 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED – That, pursuant to Section 100A(2) and (4) of the Local Government Act, 1972, the public be excluded from the meeting in view of the nature of the business to be transacted or the nature of the proceedings whereby it is likely that confidential information as defined in Section 100A (3) of the Act would be disclosed to the public in breach of the obligation of confidence or exempt information as defined in Section 100 I (1) of Part 1 of Schedule 12A of the Act would be disclosed to the public by virtue of the Paragraphs indicated.

37 EXEMPT MINUTES FROM THE MEETING HELD ON THE 17TH OCTOBER 2016.

(Paragraph 3 - Financial or business affairs of any particular person).

DECIDED: That the exempt minutes of the meeting of the Panel held on the 17th October 2016 be approved as a correct record and signed by the Chair.

At this point in the meeting, members considered the speaking arrangements when tenant representatives from Your Housing Group were in attendance at meetings of the Panel. The Panel agreed that the representatives would be able to speak at the discretion of the Chair.

The meeting closed at 4.05 pm

This page is intentionally left blank

Staffordshire Police and Crime Panel

Report of the Chairman of the Police and Crime Panel

To All Member Authorities

The Panel is set up under the Police Reform and Social Responsibility Act 2011. Its role is to scrutinise and support the Police and Crime Commissioner for Staffordshire. I present regular reports to Councils on the Panels work to provide for wider debate on issues of interest. The Panel met on 23 January 2017 when the following issues were discussed:

Police and Crime Commissioner's Draft Budget and Precept 2017/18

The Police and Crime Commissioner (PCC) is required to notify the Panel of his proposed Precept by 1 February each year. The Panel has the power to veto the proposed Precept if it considers it to be either too high or too low.

The PCC reported that for 2017/18 he proposed a 1.99% increase in Precept reminding members that throughout his first term of office he hadn't sought any increase in precept as he felt that there were economies and efficiencies to be realised within existing budgets.

The Commissioner was seeking increased revenue via the Precept in order to maintain services at current levels. He highlighted a provisional 1.4% reduction in Home Office grant (equating to £1.488m) and detailed the assumptions made, such as increase in the Council Tax Base and surplus Council Tax revenue, in estimating other funding levels. Reporting on budget pressures for 2017/18 the PCC referred to his continuing Transformation agenda to modernise the Staffordshire Force and equip it to respond to the changing nature of crime, his wish to increase visibility in the Community to give confidence in the Force, and made brief reference to national strategic policing commitments which had to be fulfilled.

Prior to considering the Precept the Panel sought, and received, assurances from the PCC that the proposed Budget and Precept had been based on reliable financial information and that he had confidence in financial management practices in the Force. Assurances had been sought as the External Auditor had issued a 'qualified, except for...' report to the PCC and Chief Constable following the Audit of accounts. That decision related to financial reporting and arrangements for planning effectively. In giving assurances the PCC summarised work carried out by his Office in conjunction with the Force to address financial management practices.

Members questioned a number of elements contained in the proposed Budget including reductions in provision for Force and Staff pay costs with the PCC giving assurances that Police Officer levels were to remain constant. Community Engagement was under review by the Deputy Chief Constable and, to allay concern expressed by some Panel members, he confirmed that the Neighbourhood Watch Scheme would be an important element in future service provision. Responding to

queries on the reduction in budgets in 2017/18 for Premises and Transport costs, the PCC reported that joint working with Kier and the Staffordshire Fire And Rescue Service respectively had realised considerable savings.

The Panel accepted the Budget and did not exercise its veto over the proposed 1.99% increase in precept for 2017/18.

Police and Crime Plan 2016-2020

The Panel also received a report by the PCC on the requirement on him to publish a new Police and Crime Plan following his re-election and to consult the Panel on its contents. Consultation would take place throughout February with a view to publishing a final document by 1 April 2017. The new Plan would continue with the four themes currently included in the Commissioner's Safer, Fairer, United Communities Strategy with a fifth theme to be added relating to 'Modern and Transformed Policing' to reflect the changing challenges facing policing and the modernisation agenda both locally and nationally. The Panel agreed to consider the draft Plan at a special workshop to be arranged for late February 2017.

Confirmation Hearing – Director of Finance and Performance

The Panel held a second meeting to consider the PCC's chosen candidate for the post of Director of Finance and Performance in the OPCC. The Panel is required to consider the professional competence and personal independence of preferred candidates for a number of key posts in the PCC's Office, including the Chief Financial Officer. The CFOs role has ben incorporated into the Director of Finance and Performance post.

The PCC introduced to Panel Mr B Bhakri reporting on his professional qualifications, skills and experience. The Panel questioned Mr Bhakri on his experience of public sector financial management. The Panel supported Mr Bhakri's appointment to the post.

Details of Panel meetings are issued to contact officers in each of the District/Borough Councils in the County and Stoke-on-Trent City Council for posting on their own web sites.

Frank Chapman

Staffordshire Police and Crime Panel Chairman

Staffordshire County Council

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Report to the Community Overview and Scrutiny Panel

13 February 2017

TITLE:	Consultation on a Proposal to Introduce a Public Spaces Protection Order in the area around the Millennium Gardens, Biddulph
PORTFOLIO HOLDER:	Cllr Mike Bowen - Portfolio Holder for Communities
CONTACT OFFICER:	Executive Director (People) and Monitoring Officer
WARDS INVOLVED:	All

Appendices Attached

Appendix A Draft Consultation Document

Appendix B Draft Public Spaces Protection Order

1. Reason for the Report

The area around the Millennium Gardens/Sainsbury's in Biddulph attracts relatively high levels of anti-social behaviour that continue to have a detrimental effect on the quality of life of those in the locality. Following partnership work with Staffordshire Police, it is considered that a Public Spaces Protection Order would assist in stopping individuals or groups committing anti-social behaviour in the area.

2. Recommendation

2.1 That the Panel recommends that the Cabinet instructs Officers to carry out formal consultation on a proposed Public Spaces Protection Order to prevent on-going anti-social behaviour in and around the Millennium Gardens in Biddulph.

3. Executive Summary

- 3.1 The area around the Millennium Gardens has attracted relatively high levels of anti-social behaviour. This has generally involved young people ranging between the ages of approximately 11 and 18 years of age. The behaviour affects legitimate users of the Millennium Gardens, shoppers at Sainsbury's (including those using the car park), users of the nearby Methodist Chapel (which includes community activities such as Girl Guides, Brownies and Rainbows) and general members of the public.
- 3.2 There were 34 incidents reported to the police in the period between 1st January and 14th October 2016. Most of the reported incidents involved groups of young people with approximately 40 young people congregating in the area on one occasion in October. The monument in Millennium Gardens has been damaged on two occasions.
- 3.4 A Public Spaces Protection Order (PSPO) is designed to stop individuals or groups committing anti-social behaviour in a public space in order to prevent or reduce any detrimental effect caused by those activities to local people. The District Council has the power to make such an Order, which can last for up to 3 years (but can be extended and/or varied), if certain conditions are met.
- 3.5 Following discussions with Staffordshire Police, it is believed that the introduction of a Public Spaces Protection Order can be justified for the area around the Millennium Gardens because the problems encountered at that location have a detrimental effect on the quality of life of those in the locality and are of a continuing nature. A draft Order is provided at Appendix A.

4. How this report links to Corporate Priorities

- 4.1 The proposed introduction of a Public Spaces Protection Order to help reduce nuisance behaviour in and around Millennium Gardens in Biddulph would assist the Council to achieve its corporate aim of helping to protect and improve the environment. It supports the priority outcome of quality open spaces and the corporate objective of high quality public amenities. The Order would generally support the creation of a safer and healthier environment for our residents and communities to live and work.

5. Options and Analysis

- 5.1 None at this stage – the report requests authority to consult of the proposed Order. Analysis of options will take place when the outcome of any consultation is known.

6. Implications

6.1 Community Safety - (Crime and Disorder Act 1998)

The making of the Public Spaces Protection Order would assist in reducing on-going nuisance behaviour in and around Millennium Gardens, Biddulph. It would help the Council to meet its duty to do all it reasonably can to prevent crime and disorder in its area under section 17 of the Crime and Disorder Act 1998.

6.2 Workforce

Enforcement of the Public Spaces Protection Order will largely be carried out by Staffordshire Police and through the issue of fixed penalty notices. District Council Officers may, however, become involved in facilitating the prosecution of individuals for any breaches of the Order in circumstances where a fixed penalty notice was not an appropriate response to the behaviour.

6.3 Equality and Diversity/Equality Impact Assessment

An assessment of the particular needs of people who use the area subject to the Order will take place after the results of the consultation exercise are known.

6.4 Financial Considerations

There will be a requirement to erect signage in and around the proposed location. The cost of the signage would be met from within existing budgets. It is hoped that the introduction of the Order will have a deterrent effect and, if there are any breaches, then these can be dealt with by means of a fixed penalty notice. However, the Council may incur costs if there is a need to prosecute an individual for breach of the Order.

6.5 Legal

The power to introduce a Public Spaces Protection Order (PSPO) is found at Section 59 of the Anti-social Behaviour Crime and Policing Act 2014. Before introducing an Order the Council must be satisfied that the following conditions have been met:

(a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or

(b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

The aim of a PSPO is to make public spaces more welcoming to the majority of law abiding people and communities. This report seeks

authority to consult with the Chief Officer of Police, community representatives and the owner of the land and other relevant bodies on a proposed Order.

Section 59 (2) states that a public spaces protection order must:

- a) Identify the activities that have a detrimental effect on the quality of life of those in the locality;
- b) Explain the effect of the breach of any prohibition in the order on the consumption of alcohol (where appropriate) and the offence of failing to comply with an order;
- c) Specify the period for which the order has effect.

Section 3 has been added to the Order to set out the activities that have had a detrimental effect on the quality of life of those in the locality and thereby meet the requirements of point a) above.

Sections 5 and 6 of the Order explain the effect of the breach of any prohibition in the order on the consumption of alcohol and the offence of failing to comply with an order thereby meet the requirements of point b) above.

A constable or authorised person can request an individual not to consume alcohol in the restricted area or to surrender anything which the constable or authorised person reasonably believes to be alcohol or a container for alcohol. A person who fails to comply with these requirements commits an offence and is liable on a summary conviction to a fine not exceeding level 2 on the standard scale.

A person who fails to comply with a PSPO is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

In both cases, liability for the offence can be discharged by payment of a fixed penalty notice under s 68 of the Act.

Section 2 has been expanded to clarify that the Order will last for a period of three years thereby meeting the requirements of point c) above.

6.6 Sustainability

No specific implications.

6.7 Internal and External Consultation

The report seeks authority to proceed with the statutory consultation exercise.

6.8 Risk Assessment

No specific risks.

7. **Background and Detail**

- 7.1 The area around the Millennium Gardens/Sainsbury's attracts relatively high levels of anti-social behaviour. This has generally involved young people ranging between approximately 11 and 18 years of age. The behaviour affects legitimate users of the Millennium Gardens, users of the nearby Methodist Chapel (which includes those attending community groups such as Girl Guides, Brownies and Rainbows), shoppers at Sainsbury's (including those using the car park), and members of the general public.
- 7.2 The Millennium Gardens area provides formal seating, and there are also some areas of informal seating, which encourages people to congregate in the area. The underground part of the supermarket car park also provides some shelter in inclement weather. People can also take advantage of the free Wi-fi provided by Sainsbury's in the area surrounding the supermarket. This has served to attract large numbers of people to gather in the area (the police have witnessed up to around 50 people gathering in the area on occasions). Some young people have also committed criminal acts and other acts of anti-social behaviour in the area. At other times, it is just the sheer number of people congregating in the area that has caused a nuisance for the local community.
- 7.3 There were 34 incidents reported to the police in the period between 1st January and 14th October 2016. Most of the reported incidents involved groups of young people with approximately 40 young people congregating in the area on one occasion in October. The monument in Millennium Gardens has been damaged on two occasions.
- 7.4 Incidents that have been reported include:
- damaging windows; flower beds,
 - threats, intimidation;
 - noise nuisance;
 - racial abuse;
 - racing motor vehicles in the car park;
 - fighting;
 - underage drinking of alcohol;
 - smoking cannabis;
 - shouting;
 - throwing planters, mud/soil, bricks, eggs, snowballs; and
 - playing football on the highway.
- 7.5 In response to the problem, Staffordshire Police have carried out targeted patrols in the area but the problems at the location continue to occur.

What is a Public Spaces Protection Order?

7.6 A Public Spaces Protection Order (PSPO) is designed to stop individuals or groups committing anti-social behaviour in a public space. The District Council has the power to make such an order, which can last for up to 3 years (but can be extended and/or varied), if satisfied on reasonable grounds that two conditions are met:

The first condition is that— .

- (a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or .
- (b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect. .

The second condition is that the effect, or likely effect, of the activities— .

- (a) is, or is likely to be, of a persistent or continuing nature, .
- (b) is, or is likely to be, such as to make the activities unreasonable, and .
- (c) justifies the restrictions imposed by the notice.

7.7 An Order can (a) prohibit specified things being done in the restricted area, (b) require specified things to be done by persons carrying on specified activities in that area, or (c) do both of those things.

7.8 The Act states that the only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order (a) to prevent the detrimental effect from continuing, occurring or recurring, or (b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.

7.9 The local authority must carry out consultation, publicity and notification before making a PSPO. The “necessary consultation” means consulting with the chief officer of police, the local policing body, “*whatever community representatives the local authority thinks it appropriate to consult*”; and the owner or occupier of land within the restricted area. The “necessary publicity”, in the case of a proposed Order (or variation) means publishing the text of it. The “necessary notification” means notifying the relevant town/parish council and the county council.

7.10 Once an Order has been made, the local authority must then publish a copy of the Order on its website and erect notices in the area drawing the attention of members of the public to the fact that the Order has been made.

7.11 There is scope within the Act for an interested party to challenge the making of an Order within the period of 6 weeks beginning with the date on which the Order or variation is made.

7.12 The authority to make Public Space Protection Orders has been delegated by the Council to the Cabinet.

Proposed PSPO for Biddulph

7.13 Following discussions with Staffordshire Police, it is agreed that the introduction of a Public Spaces Protection Order can be justified for the area around Sainsbury's/Millennium Gardens because the problems encountered at that location have a detrimental effect on the quality of life of those in the locality and are of a continuing nature.

Prohibition/Requirement	Justification
Congregating or loitering as part of a group of six or more people	One of the key factors of the anti-social behaviour in the area has been groups of young people congregating in the area
Playing football, other ball games or other sports.	Staffordshire Police has received complaints about people playing football in the area. It is not a suitable place for the playing of sports since it can cause nuisance to members of the public and possibly pose a danger to those playing football such as from vehicular traffic
Engaging in, promoting, encouraging or assisting in activities of vehicle racing, 'doughnutting', drifting, wheel spinning or other forms of vehicle nuisance.	Staffordshire Police has received complaints about vehicle nuisance.
Playing loud music such as to cause a nuisance for others. This does not include music associated with any activities organised by, or approved by, Biddulph Town Council or Sainsbury's Supermarket.	Staffordshire Police have received complaints about the nuisance caused by people playing loud music whilst congregating in the area
Throwing stones, eggs, street furniture or any other items such that it is likely to cause damage or alarm, distress, harassment or nuisance to others.	This has been a feature of the complaints received by the police and, amongst other things, is believed to have led to the damage to the monument in the gardens.
Consuming alcohol or being in the possession of alcohol in an unsealed container.	Staffordshire Police has received complaints about people consuming alcohol in the area and this is seen as a catalyst for other forms of anti-social behaviour.

Behaving in a manner that causes, or is likely to cause, alarm, distress or harassment to others.	This is a general prohibition to cover other forms of behaviour, not specifically covered in the above provisions, that have a detrimental effect on the quality of life of those in the locality
---	---

- 7.14 The Authority recognises that everyone has the right to freedom of expression, freedom of peaceful assembly and to freedom of association with others (Articles 10 and 11 of the Convention on Human Rights). However, the Authority believes that it is appropriate to make an Order in these circumstances in the interests of public safety and for the prevention of disorder or crime.
- 7.15 It is proposed that the District Council carry out formal consultation on whether to make a PSPO and, if so, what it should include as required by Section 72 of the Act.
- 7.16 A draft Order is provided at Appendix A. It is proposed that the Council formally consult with the Chief Officer of Staffordshire Police, the Police and Crime Commissioner for Staffordshire, Staffordshire County Council, Biddulph Town Council, and Sainsbury's Supermarket and other local businesses on the introduction of a PSPO. In addition, it is proposed that members of the public also be invited to submit any representations by erecting signage in and around the proposed affected area and placing details on the Council's website.

Mark Trillo

Executive Director (People) and Monitoring Officer

Background Papers

Location

Contact details

David Smith x 4165

Appendix A Consultation Document



Staffordshire Moorlands District Council

NOTICE OF INTENTION TO APPLY A PUBLIC SPACES PROTECTION ORDER

Section 59 Anti-Social Behaviour Crime and Policing Act 2014

Notice is hereby given that Staffordshire Moorlands District Council proposes to make a Public Spaces Protection Order under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Anyone who commits an offence under any of the provisions of the proposed Public Spaces Protection Order will be liable on conviction in the Magistrates' Court to a fine of up to £1,000.

Under the terms and restrictions of the proposed Public Spaces Protection Order the following will be prohibited:

- a) Congregating or loitering as part of a group of six or more people
- b) Playing football, other ball games or other sports.
- c) Engaging in, promoting, encouraging or assisting in activities of vehicle racing, 'doughnutting', drifting, wheel spinning or other forms of vehicle nuisance.
- d) Playing loud music such as to cause a nuisance for others. This does not include music associated with any activities organised by, or approved by, Biddulph Town Council or Sainsbury's Supermarket.
- e) Throwing stones, eggs, street furniture or any other items such that it is likely to cause damage and/or nuisance, alarm, or distress to others.
- f) Consuming alcohol or being in the possession of alcohol in an unsealed container.
- g) Behaving in a manner that causes, or is likely to cause, alarm, distress or harassment to others.

Copies of the draft Order are available during normal opening hours at Biddulph Councils Connect, Town Hall, High Street, Biddulph, Stoke-on-Trent, ST8 6AR.

Any representations regarding this proposed Order may be sent to the Council in writing by XXX and addressed to: David Smith, Principal Community Safety Officer, Staffordshire Moorlands District Council, Moorlands House, Stockwell Street, Leek ST13 6HQ or david.smith@staffsmoorlands.gov.uk

Appendix B Draft Public Spaces Protection Order



Staffordshire Moorlands District Council

NOTICE OF INTENTION TO APPLY A PUBLIC SPACES PROTECTION ORDER

Section 59 Anti-Social Behaviour Crime and Policing Act 2014

The Staffordshire Moorlands District Council hereby makes the following Order:

1. This Order comes into force on [notice will be given of date if Order is made] and will last for a period of three years.
2. This Order applies to the land specified in the Schedule.

Purpose

3. The Order is intended is to help to stop or reduce activities that have had a detrimental effect on the quality of life of those in the locality, including noise nuisance, shouting and swearing, climbing onto the roof of the Smithfield centre, playing football, criminal damage, alcohol and substance misuse, vehicle nuisance, abuse and intimidation, and other forms of rowdy and inconsiderate behaviour.

Offence

4. Under the terms and restrictions of the Public Spaces Protection Order the following is prohibited:
 - a) Congregating or loitering as part of a group of six or more people.
 - b) Playing football, other ball games or other sports.
 - c) Engaging in, promoting, encouraging or assisting in activities of vehicle racing, 'doughnutting', drifting, wheel spinning or other forms of vehicle nuisance.
 - d) Playing loud music such as to cause a nuisance for others. This does not include music associated with any activities organised by, or approved by, Biddulph Town Council or Sainsbury's Supermarket.
 - e) Throwing stones, eggs, street furniture or any other items such that it is likely to cause damage and/or nuisance, alarm, or distress to others.
 - f) Consuming alcohol within the area edged in red on the attached map.

Where a constable or an authorised person reasonably believes that a person is or has been consuming alcohol in breach of a prohibition in a public spaces

protection order, or intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition.

The constable or authorised person may require that person—

- (i) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
- (ii) to surrender anything in their possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

In this section “authorised person” means a person authorised for the purposes of this section by the local authority that made the public spaces protection order (or authorised by virtue of section 69(1) of the Anti-Social Behaviour, Crime and Policing Act 2014).

- g) Behaving in a manner that causes, or is likely to cause, alarm, distress or harassment to others.

Penalty

5. A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

6. If any interested person desires to question the validity of this Order on the grounds that the Council has no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

IN WITNESS whereof the COMMON SEAL
of the STAFFORDSHIRE MOORLANDS
DISTRICT COUNCIL was hereunto affixed this
day of two thousand and sixteen in
the presence of

Chairman

Chief Executive

SCHEDULE

This Order applies to land including, and immediately surrounding, Sainsbury's Supermarket and Millennium Gardens in Biddulph, Staffordshire Moorlands, which for the avoidance of doubt is edged in red on the attached map.

**Community Overview & Scrutiny Panel
Work Programme 2016/17**

Date	Items for Agenda
06 June 2016	Fracking – Ian Benson, Commissioner for the Sustainable County
	Community Bus/Transport Service – Jeff Tucker and Gail Edwards (Invite Bus Co-ordinator from Biddulph)
18 July 2016	Changes to Highways and Environmental Management – James Bailey or Mary-Anne Raftery
	Safeguarding Update – David Smith, Principal Officer Communities & Partnerships
17 October 2016	Police & Crime Annual Update - Matthew Ellis, Police & Crime Commissioner
	Citizens Advice Bureau Annual Update
	Leek Bus Station
	Your Moorlands – Governance Structure Changes
5 December 2016	Fire and Rescue Annual Update – Brian Moss
	Community Safety Partnership
	CAB – Implications of the Proposal to Remove County Council Funding
13 February 2017	Police Force Operational Annual Update – Inspector Mark Thorley
	Biddulph Community Protection Notice
27 March 2017	Consultation Update
	Councillors' Community Leadership Scheme

Key Organisations to Invite/ Schedule Annually
Police and Crime Commissioner & Operational Annual Update
Fire Service Annual Update
Citizens Advice Bureau Annual Update

Items for Consideration
Item
Local Strategic Partnership (LSP) and other partnerships
Procurement of CAB Services