

Bolsover District Council

Executive

1 February 2016

PSPO Langwith

Report of the Portfolio Holder for Community Cohesion

This report is public

Purpose of the Report

This report supports the granting of a Public Spaces Protection Order in Langwith to reduce incidents of anti-social behaviour in the area.

Langwith is a village on the border between Bolsover District Council (Derbyshire) and Bassetlaw District Council (Nottinghamshire). Each District does not have the power to grant a PSPO outside the boundaries. Whilst much of this report is focussed on issues within the boundaries of Bolsover District, there are also issues in Bassetlaw. Bassetlaw Council are also seeking to establish an identical order within their area.

1 Report Details

- 1.1 Public Spaces Protection Orders (PSPOs) were brought in under the Anti-social Behaviour, Crime and Policing Act 2014.
- 1.2 PSPOs specify an area where activities are taking place that are or may likely be detrimental to the local community's quality of life.
- 1.3 PSPOs impose conditions or restrictions on people using that area. They are designed to stop individuals or groups committing anti-social behaviour in a public place. This report recommends that a PSPO is introduced in the areas of Langwith shown on the plan appended to this report.
- 1.4 In accordance with Section 59 of the Anti Social Behaviour Crime and Policing Act 2014 before a local authority makes a PSPO it must be satisfied on reasonable grounds that two conditions are met.

The first condition is that either

(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

2. Evidence

- 2.1 For many years in Langwith there has been an issue with anti social behaviour often associated with drinking throughout Langwith, especially in the Whaley Thorns area and other public open areas. This behaviour includes unruly behaviour, urinating in public, street drinking, large groups causing intimidation, nuisance and noise which impacts on residents going about their daily business.
- 2.2 Since January 2015 to 11th December 2015 there has been 238 calls made to Derbyshire Police reporting gangs both male and females gathering on street corners shouting, drinking and swearing.
- 2.3 The following evidence in support of a PSPO is attached as appendices:
- a. Notes from the Order Group meetings 11th May 2015 & 21st September 2015
 - b. List of incidents in Langwith provided by Derbyshire Police.
 - c. Community impact statement provided by Shirebrook safer neighbourhood team.
- 2.4 In addition, issues in Langwith have been discussed at the weekly police tasking meeting for a number of years.
- 2.5 The proposed PSPO for the area is intended to prohibit the behaviour that is causing nuisance in the area, but have been phrased to ensure they do not impact on people who are making legitimate use of the area.
- 2.6 The proposal for the PSPO was to introduce the following restrictions into an area of Langwith to address the concerns in the area.
1. No consumption of alcohol in public
 2. No unsealed vessels containing alcohol
 3. No urinating
 4. No littering
 5. Not to congregate in groups of 3 or more people causing or likely to cause nuisance or Anti-social behaviour
 6. Not to make excessive noise which causes nuisance or Anti-social behaviour

- 2.7 The proposed restrictions should have no impact on the majority of residents whilst going about their normal daily business, but will offer more powers to Officers who are trying to reduce ASB in the vicinity.
- 2.8 An order can be in place for up to 3 years although this period can be extended before the end of the 3 years if it is appropriate to do so. It is proposed that the Langwith order will be for 3 years unless extended.
- 2.9 Anyone who breaches this order is guilty of an offence and is liable on conviction to a fine of up to £1,000. A person could avoid conviction if served with and pays a fixed penalty notice. The penalty imposed by such notices can be up to £100.
- 2.10 Although the order is being sought by the Council, the Police will have the power to issue fixed penalty notices as well as authorised Council officers. As with many situations, an officer will have the discretion as to when to issue fixed penalty notices.
- 2.11 The impact of the order will be monitored via the weekly tasking meeting that involves a number of agencies including the Council and the Police. The order will be managed through the Ecins system which the Police, CAN rangers and ASB caseworker use to share information and incidents.
- 2.12 Over the summer months the Police have had several dispersal orders in place to assist them tackle the anti-social behaviour, the groups made it clear to the Police that they will be return after the 48hour period of the order coming to an end.
- 2.13 Some individuals also continue to engage in anti-social behaviour in areas that were not covered by the dispersal zone, this just clarifies the need for Bassetlaw District Council to make an order so this is a consistent approach from both authorities.

3 Conclusions and Reasons for Recommendation

- 3.1 That ASB is an increasing problem in Langwith
- 3.2 That a PSPO for Langwith would provide an additional tool to the Council and the police to help prevent ASB

4 Consultation and Equality Impact

- 4.1 There is a statutory requirement to consult with the Police before introducing a PSPO, this has taken place through the orders group (notes from this are included in the appendix)
- 4.2 Local business around Langwith have been visited and consulted.
- 4.3 The district Councillors and Cabinet member for Community safety have received written confirmation of the proposal.
- 4.4 Over 150 consultation documents have been hand delivered to residents who

reside around the affected areas.

4.5 As Langwith crosses into another District, both Bassetlaw District Council and Nottinghamshire Police have been consulted..

4.6 Following consultation with Bassetlaw District Council's ASB team it was decided that Bassetlaw will also start consultation for a similar PSPO to Bolsover. This is crucial to make such an order effective as some streets in Langwith are covered by Bassetlaw and Nottinghamshire Police. Consultation has taken place with Police sergeants from both Notts and Derbyshire Police about how this order will be policed across the borders.

4.7 21 consultation feedback forms have been returned from residents of Langwith who strongly support the proposed order and most say this has been needed a while back. Detailed forms explain how a group of individuals are terrorising the community.

4.8 Bassetlaw District Council is currently in consultation for a proposed Public Spaces Protection Order for the areas of Langwith covered by the authority

5 Alternative Options and Reasons for Rejection

5.1 None

6 Implications

6.1 Finance and Risk Implications

Minimal costs for signage and publicity

6.2 Legal Implications including Data Protection

This report concerns the establishment of a PSPO

6.3 Human Resources Implications

None

7 Recommendations

7.1 A PSPO is introduced for Langwith with the following restrictions

- a. No consumption of alcohol in public
- b. No unsealed vessels containing alcohol
- c. No urinating
- d. No littering

- e. Not to congregate in groups of 3 or more people causing or likely to cause nuisance or Anti-social behaviour
- f. Not to make excessive noise which causes nuisance or Anti-social behaviour

7.2 That the JAD Community Safety is given delegated power to determine the Commencement date of the proposed PSPO to coincide with the introduction of a similar order that is being considered by Bassetlaw District Council

8 Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	
District Wards Affected	
Links to Corporate Plan priorities or Policy Framework	

8 Document Information

Appendix No	Title
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number

Report Reference –