

Date of issue: Thursday, 15 November 2018

MEETING	CABINET	
	Councillor Swindlehurst	Leader of the Council and Cabinet Member for Regeneration & Strategy
	Councillor Hussain	Deputy Leader of the Council and Cabinet Member for Transformation & Performance
	Councillor Anderson	Environment & Leisure
	Councillor Carter	Planning & Transport
	Councillor Mann	Regulation & Consumer Protection
	Councillor Nazir	Corporate Finance & Housing
	Councillor Pantelic	Health & Social Care
	Councillor Sadiq	Children & Education
DATE AND TIME:	MONDAY, 19TH NOVEMBER, 2018 AT 6.30 PM	
VENUE:	VENUS SUITE 2 - ST MARTIN'S PLACE, 51 BATH ROAD, SLOUGH, SL1 3UF	
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	NICHOLAS PONTONE 01753 875120	

SUPPLEMENTARY PAPERS

The following Papers have been added to the agenda for the above meeting:-

* Item 7 was not available for publication with the rest of the agenda.

PART 1

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
7.	Chalvey Regeneration Strategy Update – Addendum – Public Spaces Protection Order	1 - 10	Chalvey

This page is intentionally left blank

SLOUGH BOROUGH COUNCIL

REPORT TO : Cabinet **DATE:** 19 November 2018

CONTACT OFFICER: Stephen Gibson, Project Manager, Regeneration
(01753) 875852

WARD(S): Chalvey

PORTFOLIO: Leader of Council - Cllr Swindlehurst

PART I
KEY DECISION**ADDENDUM TO THE CHALVEY REGENERATION STRATEGY UPDATE****1 Purpose of Report**

To ask the Cabinet to consider an additional recommendation to the Chalvey Regeneration Strategy Update to agree a Public Spaces Protection Order (PSPO) to address current issues of anti social behaviour (ASB) affecting the local community.

2. Additional Recommendation(s)

The Cabinet is requested to resolve:

- (h) That a Public Spaces Protection Order (PSPO) within the Chalvey and Central ward as at Appendix 2 be approved to address current issues of ASB affecting the local community for a maximum period of three years as defined by the Anti Social Behaviour Crime and Policing Act 2014.

5. Additional Supporting Information**Public Space Protection Order**

- 5.17 The proposal is to implement a PSPO within the Chalvey ward to address current issues of ASB affecting the local community for a maximum period of three years as defined by the Anti Social Behaviour Crime and Policing Act 2014. The PSPO will create an offence for the perpetrators of the types of prohibitions contained within the PSPO. This means that if a PSPO is breached the offender is liable to a £100 fixed penalty notice or prosecution. Breach of a PSPO is a criminal offence prosecuted in the Magistrates Court.
- 5.18 The application and process is being funded through existing budgets and there are no additional financial Implications.
- 5.19 An Equalities Impact Assessment has been completed and it attached at Appendix Two.
- 5.20 In terms of risk management – the community affected by the issues that the PSPO is trying to address want this PSPO to be approved and implemented as soon as is possible to address the ASB issues that are being currently experienced. The community want to see this application process followed through to its ultimate

outcome and failure to do this in a timely manner could potentially make this community feel that the council has failed them in helping to address their issues of ASB where they live. The council has received written communication from community groups to this effect.

- 5.21 The PSPO in Appendix Three is bespoke to the particular frequent occurrences of incidents of ASB in Chalvey and therefore this PSPO only relates to the specific incidents occurring and those that have been frequently reported to ensure proportionality.

Additional Appendices

Appendix Two - Equality Impact Assessment Chalvey
Appendix Three - Chalvey draft PSPO

Background Papers

Anti-Social Behaviour Crime and Policing Act 2014 Guidance for Professionals section ref PSPOs:

<https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-anti-social-behaviour>

Local Government Association PSPO Guidance for Councils:

<https://www.local.gov.uk/public-spaces-protection-orders-guidance-councils>

Equality Impact Assessment

Directorate: Place and Development	
Service: Neighbourhood Services	
Name of Officer/s completing assessment: Ian Blake	
Date of Assessment: 26th July 2018	
Name of service/function or policy being assessed:	
1.	<p>What are the aims, objectives, outcomes, purpose of the policy, service change, function that you are assessing?</p> <p>Due to the prolific number of complaints with regards to large gatherings of groups of individuals causing noise, littering, obstruction and general feelings of unease and intimidation with evidence to support such claims from local residents and the police there is a substantial need to vary the existing PSPOS in the ward areas of Chalvey and Central Wards to include a prohibition with regards to the following draft wording –</p> <p>a). Any person who, without reasonable excuse loiters in the restricted area as a part of a group of two or more people that are likely causing or likely to cause nuisance, intimidation, harassment, alarm, distress or any other anti-social behaviour commits an offence.</p> <p>b). Any person who, without reasonable excuse, fails to disperse from the group in the restricted area and then remain dispersed from that group within the restricted area for a period not less than 48 hours when asked to do so by a Constable or an Authorised Officer commits an offence.</p> <p>In addition to a) and b) above, in relation to the Chalvey ward only the Council proposes the following condition:</p> <p>c). Any person who, without reasonable excuse uses a motor vehicle to cause vehicle related anti-social behaviour including playing music in a stationary motor vehicle or sounding horns so as to cause a nuisance between the hours of 10.00 pm and 7.00 am commits an offence.</p>

2.	<p>Who implements or delivers the policy, service or function? State if this is undertaken by more than one team, service, and department including any external partners.</p> <p>Implementation of this will be carried out by delegated officers of Slough Borough Council and also Thames Valley Police officers.</p>
3.	<p>Who will be affected by this proposal? For example who are the external/internal customers, communities, partners, stakeholders, the workforce etc. Please consider all of the Protected Characteristics listed (more information is available in the background information). Bear in mind that people affected by the proposals may well have more than one protected characteristic.</p> <p>Age: Disability: Gender Reassignment: Marriage and Civil Partnership: Pregnancy and maternity: Race: Religion and Belief: Sex: Sexual orientation: Other:</p> <p>Variance of the existing PSPO will affect the whole community with the ward areas Central and Chalvey Wards. These proposed variations do not single outs any particular group in anyway.</p>
4.	<p>What are any likely positive impacts for the group/s identified in (3) above? You may wish to refer to the Equalities Duties detailed in the background information.</p> <p>The positive impact for these communities is that this PSPO variation will allow the police and council to address the current issues caused by groups gathering and loitering in areas causing anti social behaviour.</p>

5.	<p>What are the likely negative impacts for the group/s identified in (3) above? If so then are any particular groups affected more than others and why?</p> <p>This PSPO will affect everyone in the named wards. However the wordings statins “without reasonable excuse” giving some opportunity to consider proportionally for enforcement in all circumstances when applying the order.</p>
6.	<p>Have the impacts indentified in (4) and (5) above been assessed using up to date and reliable evidence and data? Please state evidence sources and conclusions drawn (e.g. survey results, customer complaints, monitoring data etc).</p> <p>Evidence to support this PSPO Variation has been provided by local councillors, community groups, members of the public, police reports, police statements and written from members of the public.</p>
7.	<p>Have you engaged or consulted with any identified groups or individuals if necessary and what were the results, e.g. have the staff forums/unions/ community groups been involved?</p> <p>The local Neighbourhood Action Groups, businesses, local Councillors and Community Groups have all been informed. In addition several efforts were made to liaise with all of the community specifically affected by the PSPO who could be considered victims and perpetrators. The results were in favour of this PSPO Variation outright.</p>
8.	<p>What plans do you have in place, or are developing, that will mitigate any likely identified negative impacts? For example what plans, if any, will be put in place to reduce the impact?</p> <p>No negative impact is perceived. However alternative places to gather and meet are being discussed and looked at to provide gathering groups an alternative location that has no impact of other members of the community.</p>
9.	<p>What plans do you have in place to monitor the impact of the proposals once they have been implemented? (The full impact of the decision may only be known after the proposals have been implemented). Please see action plan below.</p> <p>Monitor the number of reported incidents after implementation, the number of breaches of the PSPO and under what circumstances and by who.</p>

Monitor the success of the PSPO Variation in reducing the number of reported incidents.

Monitor to potential for displacement.

What course of action does this EIA suggest you take? More than one of the following may apply	✓
Outcome 1: No major change required. The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken	X
Outcome 2: Adjust the policy to remove barriers identified by the EIA or better promote equality. Are you satisfied that the proposed adjustments will remove the barriers identified? (Complete action plan).	
Outcome 3: Continue the policy despite potential for adverse impact or missed opportunities to promote equality identified. You will need to ensure that the EIA clearly sets out the justifications for continuing with it. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact (see questions below). (Complete action plan).	
Outcome 4: Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination. (Complete action plan).	

Action Plan and Timetable for Implementation

At this stage a timetabled Action Plan should be developed to address any concerns/issues related to equality in the existing or proposed policy/service or function. This plan will need to be integrated into the appropriate Service/Business Plan.

Action	Target Groups	Lead Responsibility	Outcomes/Success Criteria	Monitoring & Evaluation	Target Date	Progress to Date
No concerns noted during EIA						

Name: Ian Blake

Signed: Ian Blake.....(Person completing the EIA)

Name: Ian Blake

Signed: Ian Blake.....(Policy Lead if not same as above)

Date: 26th July 2018

This page is intentionally left blank

SLOUGH BOROUGH COUNCIL

NOTICE OF PROPOSALS

**SLOUGH BOROUGH COUNCIL (CHALVEY & CENTRAL WARDS) PUBLIC SPACES
PROTECTION ORDER**

NOTICE IS HEREBY GIVEN that Slough Borough Council intends to make the above Public Spaces Protection Order under Sections 59 and 72 of the Anti-social Behaviour, Crime and Policing Act 2014 (hereinafter called “the Act”) and all other enabling powers.

1. The effect of the Proposed Order would be as follows:
 - a). Any person who, without reasonable excuse loiters in the restricted area as a part of a group of two or more people that are likely causing or likely to cause nuisance, intimidation, harassment, alarm, distress or any other anti-social behaviour commits an offence.
 - b). Any person who, without reasonable excuse, fails to disperse from the group in the restricted area and then remain dispersed from that group within the restricted area for a period not less than 48 hours when asked to do so by a Constable or an Authorised Officer commits an offence.
2. The Council intends to make the above PSPO for the wards of Chalvey and Central.
3. In addition to a) and b) above, in relation to the Chalvey ward only the Council proposes the following condition:
 - c). Any person who, without reasonable excuse uses a motor vehicle to cause vehicle related anti-social behaviour including playing music in a stationary motor vehicle or sounding horns so as to cause a nuisance between the hours of 10.00 pm and 7.00 am commits an offence.
4. The Council intends to make the above PSPO as there is a regular occurrence of incidents of groups of people loitering and causing nuisance, intimidation and other anti-social behaviour. In addition to the above there is a regular occurrence of vehicle related anti-social behaviour in the Chalvey ward including the playing music and the sounding of horns so as to cause a nuisance. The activities carried out in the above named wards have had a detrimental effect on the quality of life of those in the locality. The effect or likely effect of this is, or is likely to be, of a persistent or continuing nature, such as to make the activities unreasonable, and justifies the restrictions imposed by the Proposed Order.
4. The Council intends that the Proposed Order will last for 3 years from the date that it is made. The Council may seek to extend that period if it is satisfied that it is reasonable to do so in accordance with its statutory powers.
5. Any representation or objection to this Proposed Order must be made in writing, and addressed to Ian Blake, Manager Resilience and Enforcement, Neighbourhood

Services, Slough Borough Council, Hawker House, Heathrow West Business Park, Heron Drive, Slough, SL3 8XP before _____. Please state the reasons for your representation or objection.

6. A copy of the Proposed Order and associated documents may be inspected at the following locations from _____ between the hours of 09.00am to 05.00pm, (except weekends and public holidays):

- Main Reception, St Martin's Place, 51 Bath Road, Slough, Berkshire, SL1 3UF
- My Council, Landmark Place, High Street, Slough, Berkshire, SL1 1JL
- On the Council's website: www.slough.gov.uk

Dated _____

DRAFT