

**EXETER CITY COUNCIL
RECORD OF DECISION TAKEN BY OFFICER IN CONSULTATION WITH PORTFOLIO
HOLDER**

Key Decision:

TITLE: Extension of the Public Spaces Protection Order for a further 12 months until 31 May 2021.

DECISION MADE BY: Director Transformation

IN CONSULTATION WITH Portfolio Holder for City Development

DECISION:

Extension of the Public Spaces Protection Order for a further 12 months until 31 May 2021.

REASON FOR DECISION

1. The Director and Portfolio Holder are agreed that all of the conditions allowing for the extension of the period for which the PSPO (dated 20th April, 2017, effective on the 1st June, 2017 for a period of 3 years) may remain effective are met. Those conditions being set out in section 60 (2) of the Anti-social Behaviour Crime and Policing Act 2014 ('the Act').
2. The Director is satisfied that there is sufficient evidence which was detailed in the report to Council for her to conclude occurrence or recurrence after that time of the activities identified in the order, or (b) an increase in the frequency or seriousness of those activities after that time
3. The Director is also satisfied that the requirements of section 72 of the Act have been complied with. In particular, that the necessary consultation has been carried out; that the necessary publicity has been done; and that the necessary notification has been made.
4. The Director has also had particular regard to the Convention rights (Article 10 and 11) referred to at paragraph 72 (1) of the Act and is satisfied that the decision to extend the period for which the PSPO remains effective is compatible with those rights.

ALTERNATIVE OPTIONS CONSIDERED

Not renewing the Public Spaces Protection Order.

PRINCIPAL GROUPS CONSULTED:

Council resolved on 25 February 2020 that the decision on whether the PSPO be extended be delegated to the relevant Director, in consultation with the Portfolio Holder, save that

(1) if any such order is made to extend, that

such extension be limited to a period of 12 months, and,

(2) that the Director is satisfied that the necessary consultation required by the Anti-Social Behaviour, Crime and Policing Act 2014 has been carried out; and,

(3) that the Director is satisfied that there is sufficient evidence that the conditions for the making of the order are established.

In addition consultation has taken place which has included the Chief Constable of Devon and Cornwall Police, Police and Crime Commissioner of Devon, Cornwall and the Isle of Scilly, Chief Executive of Devon County Council, members of the Exeter Community Safety Partnership which includes business groups and voluntary sector organisations.

DOCUMENT CONSIDERED: Anti-Social Behaviour Crime and Policing Act 2014 and associated guidance made under the Act. Report and Equality Impact Assessment of the Director presented to Executive on 11 February 2020

DECLARED CONFLICTS OF INTEREST: None

DISPENSATIONS GRANTED: n/a

In the case where a key decision has been taken under delegated powers, the attention of Members is drawn to the Scrutiny Procedure Rules within the Constitution, and in particular section 15 entitled Call in.

Decision Number	Date of Decision Made
11	20 May 2020