

To: Leader and Members of the Executive Board

(Councillors D Wright, Barnett, Bell, Clews, Gosling, H Phillips, Reilly, Ridley, Ririe, Simpson, Symonds and Whapples)

For the information of other Members of the Council

For general enquiries please contact the Democratic Services Team on 01827 719221 or via e-mail – democraticservices@northwarks.gov.uk

For enquiries about specific reports please contact the officer named in the reports.

The agenda and reports are available in large print and electronic accessible formats if requested.

EXECUTIVE BOARD AGENDA

11 JUNE 2024

The Executive Board will meet in The Chamber, The Council House, South Street, Atherstone on Tuesday, 11 June 2024 at 6.30pm.

The meeting can also be viewed on the Council's YouTube channel at NorthWarks - YouTube.

AGENDA

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests.**

4 **Public Participation**

Up to twenty minutes will be set aside for members of the public to put questions to elected Members.

Members of the public wishing to address the Board must register their intention to do so by 9:30am two working days prior to the meeting. Participants are restricted to five minutes each.

If you wish to put a question to the meeting, please register by email to democraticservices@northwarks.gov.uk or telephone 01827 719221 / 01827 719237.

Once registered to speak, the person asking the question has the option to either:

- a) attend the meeting in person at the Council Chamber;
- b) attend remotely via Teams; or
- c) request that the Chair reads out their written question.

If attending in person, precautions will be in place in the Council Chamber to protect those who are present however this will limit the number of people who can be accommodated so it may be more convenient to attend remotely.

If attending remotely an invitation will be sent to join the Teams video conferencing for this meeting. Those registered to speak should dial the telephone number and ID number (provided on their invitation) when joining the meeting to ask their question. However, whilst waiting they will be able to hear what is being said at the meeting. They will also be able to view the meeting using the YouTube link provided (if so, they made need to mute the sound on YouTube when they speak on the phone to prevent feedback).

- 5 **Minutes of the Executive Board held on 18 March 2024** – copies herewith, to be approved as a correct record and signed by the Chairman.

ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)

- 6 **Supplementary Estimate – Leisure and Open Space Section 106 Receipts** - Report of the Director of Leisure and Community Development.

Summary

The purpose of this report is to seek approval for the provision of a supplementary estimate within the capital programme through which to use Section 106 receipts to enhance leisure and open space provision in the Borough.

The Contact Officers for this report are Simon Powell (719352) and Becky Evans (719346).

7 **Atherstone Public Spaces Protection Order and Consultation -**
Report of the Chief Executive

Summary

This report provides Members with an update on the progress with the Public Spaces Protection Order (PSPO) and consultation in relation to Atherstone Town Centre and request that the order be made.

The Contact Officer for this report is Julie Taylor (719242).

8 **Exclusion of the Public and Press**

To consider, in accordance with Section 100A(4) of the Local Government Act 1972, whether it is in the public interest that the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.

9 **Performance Management –** Report of the Chief Executive

The Contact Officer for this report is Trudi Barnsley (719388).

10 **Environmental Health -** Report of the Chief Executive

The Contact Officer for this report is Steve Maxey (719438).

11 **Housing Company –** Report of the Chief Executive

The Contact Officer for this report is Steve Macey (719438)

12 **Exempt Extract of the Minutes of the Executive Board** held on 18 March 2024 – copies herewith, to be approved as a correct record and signed by the Chairman.

STEVE MAXEY
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE BOARD

18 March 2024

Present: Councillor D Wright in the Chair

Councillors Bell, Clews, Dirveiks, Gosling, Hayfield, Parsons, H Phillips, Ridley, Simpson, Symonds and Whapples.

Apologies for absence were received from Councillor Reilly (Substitute Councillor Hayfield).

68 **Declarations of Personal or Prejudicial Interest**

None were declared at the meeting.

69 **Minutes of the Executive Board held on 12 February 2024**

The minutes of the meeting of the Board held on 12 February 2024, copies having been circulated, were approved as a correct record and signed by the Chairman.

70 **Annual Governance Statement 2022/23**

The Interim Corporate Director – Resources (Section 151 Officer) presented the Annual Governance Statement for 2022/23 which was prepared by the previous Section 151 officer in March 2023 but was not presented for approval by Members.

Resolved:

- a That the Annual Governance Statement for 2022/23 be approved; and**
- b That a report identifying the numbers of people watching the live broadcast and the issues of Member and Officer safety be brought back to Executive Board by the Chief Executive.**

71 **Corporate Plan Performance Update**

The Chief Executive asked the Board to note the Corporate Plan Performance Update and identify any areas where further information was required.

Resolved:

That the report be noted.

72 **Corporate Plan 2024-27**

The Chief Executive proposed the adoption of the revised Corporate Plan for 2024-27 as set out in his report.

Recommended:

- a **That the key issues and actions, set out within the report of the Chief Executive, together with the addition of road safety issues relating to dangerous junctions be included in the Corporate Plan 2024-27;**
- b **That delegated authority to finalise the format of the Plan be given to the Chief Executive; and**
- c **That the suggestion with regard to a Levelling Up Board be noted and agreed.**

73 **Calendar of Meetings 2024/25**

The Chief Executive sought approval for a change to the date of the Annual Council meeting from Wednesday, 15 May 2024, to Thursday, 9 May 2024.

Resolved:

That the date of the Annual Council Meeting be changed from Wednesday, 15 May 2024 to Thursday, 9 May 2024.

74 **Exclusion of the Public and Press**

Resolved:

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.

75 **Planning Inquiry**

The Head of Development Control reported on anticipated cost of a forthcoming Planning Inquiry.

Recommended:

That the approach, as set out in the report of the Head of Development Control, be confirmed.

76 **Exempt Extract of the minutes of the Executive Board held on 12 February 2024**

The exempt extract of the minutes of the Executive Board held on 12 February 2024, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

D Wright
CHAIR

Agenda Item No 6

Executive Board

11 June 2024

Report of the Director of Leisure and Community Development

Supplementary Estimate – Leisure and Open Space Section 106 Receipts

1 Summary

- 1.1 The purpose of this report is to seek approval for the provision of a supplementary estimate within the capital programme through which to use Section 106 receipts to enhance leisure and open space provision in the Borough.

Recommendation to the Board

That the requested supplementary estimate of up to £223,877 for the enhancement of leisure and open space provision in North Warwickshire, as detailed in sections 4.1 and 5.1.2 of the appended report of the Director of Leisure and Community Development, be approved.

2 Consultation

- 2.1 Consultation has taken place with relevant Members and any comments received will be reported at the meeting.

3 Introduction

- ... 3.1 Attached at Appendix A is a copy of a report relating to the potential use of a number of Section 106 receipts held by the Borough Council. The report was produced further to meetings held between Officers and relevant Ward Councillors to ascertain Members' priorities for the use of any leisure and open space-related receipts held by the Authority. The report was considered by the Community and Environment Board at its meeting held on 25 March 2024, at which time the priorities listed in the table at section 4.1 of the report were approved. In view of the desire to carry out the proposed works at the earliest opportunity, those required in Grendon, Coleshill, Warton, Newton Regis and possibly Atherstone will need a supplementary estimate in the sum of up to £223,877 to be added in to the Authority's capital programme. This Board is asked to approve this course of action, which will have no impact on the Borough Council's budgetary position, as the work itself will be fully funded through the use of the identified Section 106 receipts.

4 Report Implications

4.1 Finance and Value for Money Implications

4.1.1 The proposed works required to enhance leisure and open space provision in North Warwickshire, in the sum of up to £223,877, will need a supplementary estimate in order to add this sum into the current year's capital programme. The works will be fully funded through the use of the identified Section 106 receipts.

4.2 Legal, Data Protection and Human Rights Implications

4.2.1 There are no legal, data protection or human rights implications arising directly out of this report.

4.2.2 Receipts from Section 106 agreements must be spent in accordance with the agreements themselves, unless specifically agreed with the other parties to the agreement.

4.3 Risk Management Implications

4.3.1 There are no direct risks consequent upon the proposed projects and undertakings identified within this report.

4.4 Equalities Implications

4.4.1 There are no equalities implications arising from this report. The Authority's leisure and open space services are provided for the benefit of the whole community and no group or individual defined by the protected characteristics under the Equality Act will be excluded therefrom. The same applies where related services will be provided on sites owned by parish councils.

4.5 Links to Council's Priorities

4.5.1 The projects and services proposed to be developed through the use of the listed Section 106 receipts have direct and positive links to the following corporate priorities:

- Safe, liveable, locally focused communities
- Prosperous and healthy
- Sustainable growth and protected rurality
- Efficient organisation

The Contact Officers for this report are Simon Powell (719352) and Becky Evans (719346).

Agenda Item No 9

**Community and Environment
Board**

25 March 2024

**Report of the Director of
Leisure and Community Development**

**Leisure-related Section 106
Receipts**

1 Summary

- 1.1 This report asks the Board to consider and determine the use of a number of leisure-related Section 106 receipts held by the Borough Council.

Recommendation to the Board

- a) That the Board approves, or otherwise varies, the use of Section 106 receipts, as identified in section 4.1 of the Director of Leisure and Community Development's report.

Recommendation to the Executive Board

- b) That the Executive Board approves a supplementary estimate for up to £233,877 to be included within the capital programme for the proposed undertakings detailed in section 5.1.2 of the report of the Director of Leisure and Community Development, this will have no financial impact as the expenditure is matched by income from the Section 106.

2 Consultation

- 2.1 Consultation has taken place with relevant Members and any comments received will be reported at the meeting.

3 Introduction

- 3.1 At its meeting held in October 2023, the Board was informed that the Borough Council is holding a number of Section 106 receipts for, amongst other things, open space-related undertakings. At that time, Members were reminded that the formal Agreements associated with these receipts are frequently very specific about where, upon what and by when the money can be used.

- 3.2 The following table detailed those receipts upon which the views of Members were sought in respect of their proposed use. The subsequent determinations of the Board are highlighted in the fourth column:

Parish	Sum (£)	Use by Date	Board Approved Use	Priority
Atherstone	152,582	September 2025	Agreed: £75,000 to support the development of play provision at RMD. Use of residual sum to be discussed with Ward Members*	Green Space and Playing Pitch Strategies
Coleshill	13,260	April 2029	Tree planting and accessibility work in Cole End Park. Detail to be discussed with Ward Members**	Green Space Strategy
Grendon	20,000 + approx. 74,245	March 2026	Improvements at Boot Hill Recreation Ground and play area. Detail to be discussed with Ward Members***	Green Space and Playing Pitch Strategies
Polesworth	44,963	November 2032	Agreed: Receipt to be used to enhance play provision in Abbey Green Park****	Green Space Strategy
Ridge Lane	17,412	None	Agreed: Improvements to the play area in Ridge Lane *****	Green Space Strategy

Notes:

* The use of the residual sum to be discussed with Ward Councillors

** Use determined by S106 Agreement

*** S106 receipt can only be used at Boot Hill Recreation Ground and play area

**** Use determined by S106 Agreement

***** Use determined by S106 Agreement. Spend to be undertaken in 2025 / 26, in line with the Play Area Development Program

4 Section 106 Receipts

4.1 At its meeting held last October, the Board instructed Officers to meet with relevant Ward Members in order to ascertain their priorities for the use of any leisure-related receipts held by the Authority. Accordingly, the following table details the outcomes of the meetings held with Ward Councillors, which were held during December 2023 and January 2024:

Parish	Sum (£)	Use by Date	Ward Member Priorities	Strategic Priority
Grendon	20,000 + 50,746*	March 2026	Boot Hill Pavilion Boot Hill Car Parking Boot Hill Play Area	Green Space and Playing Pitch Strategies
Coleshill	6,695**	April 2029	Access Improvements in Cole End Park	Green Space Strategy
Polesworth	376,305 + 53,690 + 123,410	January 2027 January 2030 May 2031	Three sums to be held for possible use towards a new leisure / community facility in Polesworth	Leisure Facilities, Green Space and Playing Pitch Strategies
Warton	41,442	February 2029	Upgrade Warton Recreation Ground	
Newton Regis	27,494	March 2030	Tennis Club Lighting and Facility Upgrade Children's Playground Equipment Outdoor Exercise Equipment Picnic Benches and Seating	
Atherstone	77,500	September 2025	Re-surface AGP at QE Academy (subject to clarification of Academy intentions) Green Pathways project	Green Space and Playing Pitch Strategies

Notes:

* S106 receipt can only be used at Boot Hill Recreation Ground and play area

** Use determined by S106 Agreement

- 4.2 The Board is asked to consider and approve, or otherwise vary, the use of the listed Section 106 receipts in the manner proposed by Ward Members. Within this process, Councillors attention is drawn to the dates by which the receipts must be used. Further, the activity proposed to be undertaken in Warton and Newton Regis will require the involvement of the relevant parish councils and, in Atherstone, potentially The Queen Elizabeth Academy.

5 Report Implications

5.1 Finance and Value for Money Implications

- 5.1.1 The proposed uses of the identified Section 106 receipts represent a cost effective way for the Borough Council to enhance and / or maintain service provision in accordance with the needs generated by residential development in North Warwickshire. They are also consistent with the Borough Council's adopted Sport, Recreation and Open Space Supplementary Planning Document.

- 5.1.2 The proposed works required in Grendon, Coleshill, Warton, Newton Regis and possibly Atherstone will need a supplementary estimate in the sum of up to £223,877 to be added into the Authority's capital programme, this will have no financial impact as the expenditure is matched by income from the Section 106 receipts.

5.2 Safer Communities Implications

- 5.2.1 Projects advanced through the use of Section 106 receipts contribute to community safety by providing well-managed recreation facilities and open spaces that afford opportunities for positive activity.

5.3 Legal, Data Protection and Human Rights Implications

- 5.3.1 Section 106 of the 1990 Town & Country Planning Act (as amended) allows Local Planning Authorities to require developers to enter into Legal Agreements to provide measures to mitigate the impact of their development. These Agreements are known as Section 106 Agreements. The measures contained within them either require the developer to deliver on-site mitigation (for example provide a proportion of affordable housing, or connect to a district heating network), or to make a financial contribution to enable the Council to provide appropriate mitigating measures (for example an improved bus stop, or off-site tree planting).

5.3.2 The Community Infrastructure Levy (CIL) is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010. Use of receipts from s106 agreements is governed by Community Infrastructure Levy Regulations 2010 (as amended).

5.3.3 Regulation 121A of the Community Infrastructure Levy Regulations 2010 (as amended) requires local authorities to publish an annual Infrastructure Funding Statement (IFS) which must set out how much CIL revenue and S106 contributions has been collected, how much has been spent and what it has been spent on.

5.3.4 Receipts from Section 106 agreements must be spent in accordance with the agreements themselves, unless specifically agreed with the other parties to the agreement.

5.4 Environment, Climate Change and Health Implications

5.4.1 Delivery of priorities identified in the Green Space and Playing Pitch Strategies contributes directly to environmental improvements, enhancement of biodiversity and mitigation of the effects of climate change. Along with implementation of the recommendations of the Leisure Facilities Strategy, it also helps to build sustainable, healthy and vibrant communities.

5.5 Human Resources Implications

5.5.1 There are no human resource implications arising directly out of this report.

5.6 Risk Management Implications

5.6.1 Additional to those previously reported to the Board, there are no direct risks consequent upon the proposed projects and undertakings identified within this report.

5.7 Equalities Implications

5.7.1 There are no equalities implications arising from this report. The identified services and projects are provided for the benefit of the whole community and no group or individual defined by the protected characteristics under the Equality Act will be excluded therefrom.

5.8 Links to Council's Priorities

5.8.1 The projects and services proposed to be developed through the use of the listed Section 106 receipts have direct and positive links to the following corporate priorities:

- Safe, liveable, locally focused communities
- Prosperous and healthy

- Sustainable growth and protected rurality
- Efficient organisation

5.8.2 Additionally, implementation of the identified projects will contribute directly to the attainment of the priorities of the Sustainable Community Strategy to:

- Raise aspirations, education attainment and skill levels
- Develop healthier communities
- Improve access to services

The Contact Officers for this report are Simon Powell (719352) and Becky Evans (719346).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No.	Author	Nature of Background Paper	Date
1	Director of Leisure and Community Development	North Warwickshire Green Space and Playing Pitch Strategies Progress Report	October 2023

Agenda Item No 7

Executive Board

11 June 2024

Report of the Chief Executive

Atherstone Public Spaces Protection Order and Consultation

1 Summary

- 1.1 This report provides Members with an update on the progress with the Public Spaces Protection Order (PSPO) and consultation in relation to Atherstone Town Centre and request that the order be made.

Recommendation to the Board

- a That the Board considers the results from the consultation;
and**
- b The Board makes the Public Spaces Protection Order as set
out in the report.**

2 Background

- 2.1 Members will recall that in July 2023, as part of the North Warwickshire Community Safety Partnership Update, the Safer Communities Sub-Committee received a report stating that the Police had contacted the Council requesting that we work with them to address crime and antisocial behaviour in Atherstone Town Centre. The report stated that a Public Space Protection Order (PSPO) covering the Market Square, Long Street, and nearby areas may be an appropriate way of doing so.
- 2.2 In order to scope the behaviours and locations that should be considered for a PSPO we carried out an initial survey in September 2023 and wider consultation in March 2024.

3 Consultations

- 3.1 The report was considered by Executive Board on 27 November 2023 who agreed that it should be issued for consultation
- 3.2 Initial consultation on the order was undertaken via traditional survey method in the town centre, however wider consultation was undertaken in March 2024 that was made available on the Council's website, via social media, Gov Delivery and Flyers/Posters.
- 3.3 A range of stakeholders were identified including residents, businesses, ward councillors, and Police, Community Safety meetings and internal Council teams.

- ...
- 3.4 As part of the wider consultation the public were asked whether they thought a PSPO would help address ASB in the town. 128 out of 151 respondents (85%) were in support. Please refer to question 6 of the Survey (Appendix A).
- 3.5 Several issues were raised which are set out in the consultation summary report. The main issues are concern about it stopping the consumption of alcohol in the Market Square and whether it will be enforced.
- ..
- 3.6 The consultation has now ended and based on the responses received, members are requested to make the order. The order can be found at Appendix B
- 3.7 PSPOs can last up to three years before councils are required to review them, at which point they may be removed, amended, or extended by up to a further three years. The length of a PSPO should reflect the need for a proportionate response to the problem and can be reviewed at any time to vary the prohibitions or area to which it applies. There is no limit on the number of times a PSPO may be reviewed and renewed, provided on each occasion there is evidence which justifies doing so.

4 **Statutory guidance**

- 4.1 The 2014 Act and statutory guidance sets out the process councils must follow before an order is introduced. This includes determining the scope, areas covered and impact of the PSPO, as well as how each of the restrictions meets the legal test. The PSPO:
- has been discussed at multi agency meetings including NW Problem Solving and Anti-Social Behaviour (ASB) Group.
 - is supported by data collection and analysis.
 - has included non-statutory stakeholder consultation including sending a survey to local businesses seeking their views on ASB in the town area and its impact on business.
 - follows consideration and use of alternative ASB tools to address this problem which demonstrate that work should be undertaken to develop a PSPO.
 - if made, should be subject to careful enforcement planning.

5 **Strategic priorities**

- 5.1 The PSPO supports the Council's vision of 'Protecting the rurality of North Warwickshire, supporting its communities, and promoting the wellbeing of residents and business. A key priority is to ensure North Warwickshire is "Safe, Liveable and has Locally Focussed communities". The PSPO in Atherstone Town Centre will address and reduce anti-social behaviour and the detrimental impact it causes, including to the most vulnerable people in our community and support the Council's overall vision

6 Notification to relevant councils

- 6.1 The statutory guidance requires councils to notify relevant county and parish councils when reviewing or developing a PSPO. Both have been informed of the Council's intentions.

7 Report Implications

7.1 Finance and Value for Money Implications

- 7.1.1 None.

7.2 Safer Communities Implications

- 7.2.1 These are set in the report and the appendices.

7.3 Legal, Data Protection and Human Rights Implications

- 7.3.1 The test in the 2014 Act which applies when considering making a PSPO is set out above. The Act requires consultation with specific bodies, those in the area likely to be affected by a PSPO and, including the owners and occupiers of the land which to which it would apply. The statutory consultation must include the prohibitions which would be included in the proposed PSPO, along with the area it would apply to. If those details are not included, then it is not possible for those consulted to respond effectively.

- 7.3.2 If a PSPO is made then it may be challenged in the High Court within six weeks of it being made. If such a challenge is made, the Council will need to show that it carried out the appropriate consultation when deciding whether to make the PSPO. Also, if a person is prosecuted for breaching any PSPO, it is a defence to show that it includes a prohibition which the Council did not have power to include. Proper consultation will allow the Council to identify all relevant areas of land, ensure that the views of owners and occupiers are considered, and that all prohibitions are within the Council's power.

7.4 Environment, Climate Change and Health Implications

- 7.4.1 By working to reduce crime and disorder, the partnership is contributing towards improving the quality of life for residents, businesses, and visitors to North Warwickshire.


7.5 Health Implications

- 7.5.1 The work of the partnership has several synergies with contributing towards healthier communities. These include tackling violent crime, supporting victims of domestic abuse, tackling alcohol and drug misuse, and reducing anti-social behaviour.

7.6 Risk Management Implications

- 7.6.1 The Community Safety Partnership Strategic Assessment includes risk analysis of risk and harm. The analysis uses an adapted Association of Chief Police Officers' Model (ACPO 3 PLEM). This is a basis scoring matrix for levels of harm. The assessment also includes consideration of a Management of Risk in Law Enforcement (MORILE) matrix. The key risks for the partnership are identified within the strategic assessment prepared each year.

The Contact Officer for this report is Julie Taylor (719242).

ID	In the last 3 months, have you noticed Anti-Social-Behaviour (ASB) in Atherstone Town Centre?	If so, are there any specific locations in Atherstone Town Centre where you have experienced ASB (Street name, shop name, landmarks etc)?	What days and what time of day does this occur?	What impact has this ASB had on you when you are in Atherstone Town Centre?	A draft of the Public Spaces Protection Order (PSPO) can be viewed here www.northwarks.gov.uk/APSP0 Do you have any comments?	Do you agree that this PSPO would help deal with ASB in Atherstone Town Centre?	Do you think that any additional or alternative prohibitions should be added to the Draft PSPO to deal with the ASB?	Do you have any suggestions/recommendations as to how we can reduce the impact of such behaviour?	Do you own any land within or adjoining the plan attached to the draft PSPO?
1	Yes	Long street, Station Street and Stratford Avenue	Daytime and early evening... Lots of drunks and drug induced people predominantly males in Atherstone town and quiet roads off town centre ... Not safe walking normal streets. Always someone drunk or high off drugs, as you can smell them walking past and smells of drugs in carparks linger especially by town centre bus stop car park	Doesn't feel safe and not a good look on the beautiful historical town from locals as many people come to visit from different areas and always a druggie or drunk lingering by	 should be applied and keep others safe especially children	Yes	Yes - please explain	Yes, since moving to Atherstone I've seen alot of ASB and more drug related people than in the cities. It's a shame because it really puts a downfall on the town as the respectful people who appreciate Atherstone are becoming the minority. Sick to death of smelling cannabis in such a beautiful historical area let down by drink and drug abusers that have no respect for other decent people who both live and visit Atherstone. This is the reason I am now moving out the area myself because as much as Atherstone is a lovely place there is a very bad dark side to it	No
2	Yes	Hat and Beaver pub	Usually weekend with loud karaoke and music	Unable to sleep and feeling stressed because of the noise.	Please go ahead and stop people who are spoiling a lovely town.	Yes	Yes - please explain	Policing on the beat. Name and shame. Be tougher !	No
3	Yes	Long Street	Weekend evenings	I don't visit in the evening		Yes	No		No

4	Yes	Market Square	Various days usually afternoon.	Makes you want to avoid tge area you are likely to meet drunks.	Can't open the link.	Yes	No	Difficult to say as drinking to excess isn't illegal. The people who do it aren't bothered about others as long as they are able to do what they want.	No
5	No					No	No		No
6	No					Yes	No		No
7	Maybe	I have never been there	Not applicable	Not applicable	No	Yes	No	No	No
8	Maybe	Market Square		Felling uncomfortable		Yes	No		No
9	No					Yes	No		No
10	Yes	Long Street	Thursday, Friday and Saturday night. Also, when the Atherstone Ball Game is on.	It blights the area. There is vomit, broken glass, fighting, littering and abusive language. People cannot enjoy an evening out.	The centre of the town is not the only place this all occurs. The Maid of the Mill public house has the same issues along with drug dealing etc	Yes	Yes - please explain	Tougher policing and parenting.	No
11	Maybe	Long Street	Anytime	Unpleasant environment.	Isn't there legislation already in place to deal with drunkenness and disorderly behaviour as well as drug use? Why more local legislation. The magistrates and police should have enough power already to deal with the problems.	No	No	Restrict hours when alcohol can be sold and take away licenses for breaches. Enforce current laws.	No
12	Maybe	Long Street	Afternoons and Evenings	Made me more cautious		Yes	No		No
13	No					No	No		
14	Yes		Long street	Terribly frightening. Man shouting threatening to punch his dog!	There is no police to help	No	No	More police	No
15	No					Yes	No	On the spot fines.	No

16	No					Yes	No	Think it's about time they stopped the annual ball game as it's not like it used to be as just for trouble makers and drinkers having a good time.	No
17	No				It is unnecessary and resources should be used elsewhere eg youth services which would have a more beneficial effect on the community.	No	No		No
18	Yes	Bus Station	Weekends	I make my way home around 6pm before it all starts.	NO	Yes	No	Make to town centre safer as would the presence of a police van.	No
19	No				If the local area can police such an order then it is a good idea to try it.	Yes	No	There is always a section in any community that does not respect the inhabitants. We all have a responsibility to contribute to the well being of our local areas by setting a good example and trying to educate people in a polite way when this is possible.	No
20	Yes	Long Street	Most days including weekends	For visitors to the town, it makes the locations mentioned very unpleasant places to visit. Especially the market square as it's by the church & it's one of the main attractions of the town.	Noted above	Yes	Yes - please explain	Can't think of any at the moment	Yes - please provide your contact details so that the Council can contact you with any queries about that land

21	No					Yes	No		No
22	No					Yes	No		No
23	No					Yes	No		No
24	Yes	The gritty behind st Mary's church. You've installed a camera that only operates 1 way. Pointless this allows at least 2 blind spots	Everyday	None to me but elderly people	No	Yes	No	No	No
25	No				I rarely use Atherstone Town Centre, so do not feel able to comment if there has been anti social behaviour.	Yes	No		No
26	Yes	Market Square	Any time	It puts people off coming into town	No	Yes	Yes - please explain	More police on foot	No
27	Yes	Long Street	Most of the evenings, especially at the New Swan Pub.	Disturbance and nuisance.		Yes	Yes - please explain	Prohibition	No
28	No					Yes	No		No

29	No				Can't see £100 fine deterring the idiot minority from misbehaving-a much stronger figure would be more challenging ie £200 or more	Yes	Yes - please explain	I don't live in Atherstone and only visit for shopping purposes during the daytime and therefore have no experience of the problem or in which particular area suffers most.However whatever fines are handed out the council must ensure that they are collected at the appropriate time,or if not then the fine is doubled .Perhaps if you have persistent offenders display photographs of them around the town	No
30	No				I think this could impact adversely on some responsible pubs in the town and make it harder in the summer for the relaxed cafe environment on the market square.	No	No	It needs to be easier to contact the police and report problems and there needs to be confidence that action will be taken whether inside this area or not. Some parks falling outside the area can be a problem	No
31	No				I don't go into Atherstone town centre very often	Yes	No	Banning drinking alcohol in the street would help	No

32	Yes	Long Street	Evenings and school leaving times.	I am embarrassed by the actions and feel it reflects peoples idea of Atherstone. Including litter discarding and high levels of noise and some swearing.	I live on Long Street and syringes, beer cans and graffiti has affected my property. This again particularly the graffiti degrades the area. I'm sure the Police know who does this type of vandalism.	Yes	Yes - please explain	More Police patrols particularly at schhol leaving times and in the late evenings turning out from the licensed premises.	Yes - please provide your contact details so that the Council can contact you with any queries about that land
33	No				0	Yes	No	0	No
34	Maybe	Leisure Centre	Late afternoon	Been able to ignore it	I'm not sure it is necessary to cover the whole town centre as the number of problems is quite small and it may not help in getting a quicker response time when reporting things.	No	No	Police safer neighbourhood teams to improv response times. Signposts with contact details for people to call or text to report things and send photos	No
35	No					Yes	No		No
36	Yes	Long Street	Mon - fri	Makes me feel unsafe	Ban alcohol on the streets it's intimidating when people get loud and shouting at people under the influence of booze and drugs.	Yes	No		No
37	No					Yes			No
38	No				No	Yes	No	No	No
39	Maybe	Market Square	Saturday day time	Feeling less comfortable being there especially with children.	I agree with this	Yes	No	Patrols by police or PCSO	No
40	No				No	Yes	No	No	No
41	No				No	Yes		Ban them for a period of time	No

42	No				Local enforcement must crack down on any/all ASB otherwise those idiots or purportrators will ruin our town	Yes	Yes - please explain	Ensure sufficient PCSO patrols and engagement is in place	No
43	Yes	Market Square	Friday night	Dont go any more		Yes	Yes - please explain	More police pressance	No
44	Yes	Widespread locations	Don't know	Largest problem that I have noticed is the Graffiti on Openreach/Communication boxes, walls and other structures. This together with litter and rubbish, particularly in public spaces at the rear of premises.	I assume that the purchase of alcohol from premises with the necessary licence for consumption in Market Square at prearranged events will still be allowed.	Yes	No	The presence of more police on the streets would not go am-missed.	No
45	No				How will it be enforced	Yes	No	Stop alcohol being sold to the under aged	No
46	No				No	Yes	No	NO	No
47	No				No	Yes	No	No	No
48	Yes	Long Street	Weejends	I don't go into atherstone at weekends especially evenings	Agree with it people come on from neighbouring villages	Yes	No	More police patrolling	No
49	No					Yes	Yes - please explain	Don't impact the ball game!	No
50	Yes	Coleshill Road Area Westwood road	No pattern, it happens periodically mostly in the evening	Town centre is not a safe area anymore, same as the bus station area or Holly Lane area.	It is not enough	Yes	Yes - please explain	Families, schools and POLICE should really be involved. The Police is hardly noticed in our town.	No
51	Yes	Bus Station	Mostly in the afternoon and in the evening	I am avoiding the area	No	Yes	No	No	No
52	No				no	Yes	No	no not really	No
53	Maybe	Long Street	Saturday around midday	Don't like it but it's now a national problem	No	Yes	No		No
54									

55	No				No	Yes	No	More police on the streets	No
56	Maybe	General areas, where you see people dropping litter - behaving in a boisterous manner, okay for children but not for adults.	Just in daytime	Mostly irritation	The penalties seem a bit soft	Yes	Yes - please explain	Point out that continuing refusal to abide by these strictures could result in the offender being charged under a criminal offence charge and that a criminal charge on a persons file could limit their chances of being employed: etc,	No
57	Yes	Long Street	It can be any time	It's very intimidating it should be a safe place to be able to go shopping		Yes		Stop giving them extra money to buy drink and give it to those that need help	
58	No				maybe restricting alcohol would help	Yes	No		No
59	No					Yes	No		No
60	No					Yes	No		No
61	Yes	Market Square	It was a Saturday early evening	It doesn't make me and the wife visit the square in an evening	I think it would be a good idea but do we have the police to enforce it?	Yes	Yes - please explain	Crack down on drugs mainly that horrible stuff they smoke	No
62	No				None but I think it's a great idea.	Yes	No	Better police presence	No
63	No				No	Yes	No	A regular police presence would reduce likelihood of such behaviour.	No
64	No					Yes	No		No
65	Maybe	Long Street	Saturday evening	Spoils the experience of visiting the town	Be firm and please look into the problem of parking no one takes a lot of notice now	Yes		Be firm set example immediately	No

66	Maybe	Market Square	Any time	Because of our age very cautious when out	I believe we need more police presence very rarely see police or community officers in and around atherstone	Yes	No	As per my previous comments	No
67	Maybe	Market Square	All times	I don't go with my children anymore		No	Yes - please explain		No
68	Yes	By library/medical Centre and leisure centre	Between 7 and 8	It's sad to see, unpleasantly nerve wracking, just makes you want to get away and wish they had somewhere else to be/go.	I am in support but think drugs is a more necessary area to focus on.	Yes	No	Warden monitored zones	No
69	Yes	Long Street	Various days, usually afternoon/evening	I tend not to go into town of an evening on my own.	I think if people are out of control/violent due to excessive alcohol consumption, for everyone's protection (including theirs) they should be challenged and the alcohol should be taken from them and the person should be either taken home or detained until sober. Repeat offenders should get a 3 strike warning and then charged with anti social behaviour and made to do a length of community work.	Yes	No	A three strike system for repeat offenders.	
70	Yes	Market Square	Fridays & Saturdays	You feel vulnerable and it can intimidating		Yes	Yes - please explain	More police patrolling the town centre	No

71	Yes	Long Street	Friday and Saturday afternoon/evening.	Heightened awareness and vigilance.	No comment.	Yes	No	More proactive police presence by warranted officers.	No
72	No				The area needs to be developed to provide Atherstone with a point of interest to attract people to the area. The roads can be shut off, providing a safe area for music festivals and other suitable entertainment.	Yes	No	Entertainment to provide a distraction	No
73	No				It's a good idea	Yes	No		No
74	Yes	Long Street	Friday and Saturday evenings.	Feeling anxious and unsafe.		Yes	Yes - please explain		No
75	Yes	Market Square	From 12am onwards. Sometimes when the market is on. There seems to be trouble on and by the bench outside the Church by the market and further into the Town by The Clock Pub	I feel threatened because sometimes it's not just one person, there seems to be groups of people together. Drunk, swearing, laughing and shouting out to us - me and my mum. You don't feel safe even in the daylight puts you off.	It would be nice to just have some normal, civil people. Who are not interested in fights all the time and causing trouble by disrupting the peace and upsetting people of the public.	Yes	Yes - please explain	Arrest them, more arrests and action will stop them because they know they will always be locked up and not get away with it. Spending a night in a cell and possibly threatened with a criminal record. But put more cameras in the Town. Hidden ones and high up so they don't smash them. Get evidence too and catch them all in the act! Have signs made for the public to report asbo behaviour to the Police.	No
76	No				no.	Yes	No	No.	No

77	No				I think it will give police additional powers for public order !	Yes	No	Increase the number of police who could be visibly seen on the streets of Atherstone .	No
78	No					No	No	Provide decent youth services and enough community police on the beat	No
79	Yes	Market Square	During the day.	I think it gives a bad impression of the town as it's such a lovely Market Square.	I think the alcoholics who frequent the Market Square need help. It's not good seeing them sitting outside the church drinking from cans.	Yes	No	Instruct the shops to refuse them alcohol.	No
80	No					Yes	No	I think the PSPO if proceeded with would help in reducing any anti social behaviour.	No
81	No					No	No		No
82	No				I have not witnessed any drunken or other anti social behaviour in Atherstone at any time, except the so called ball game which has turned into a mass brawl.	No	No		No
83	No				Who is going to enforce it? There's zero police presence in the town. Sending drones on ball game day is a really poor effort on the basis that those that want nothing to do with the trouble will not go.	No	No	Police officer seen occasionally would make far more difference than any changes only enforced after the event...	No

84	No				Increased police presence would reduce the anti social behaviour in the town centre. The PSPO as a threat will not unless it is policed.	No	No	Increased police presence.	No
85	Yes	Market Square		My kids were afraid		Yes	No	Bar staff and shops around can refuse to sell alcohol if visibly drunk	No
86	No				Drinking must only be allowed inside a pub or club, and the landlord must not serve anyone he thinks a person as add to much to drink. And i think there is law about drinking in street ?.	Yes	No	have more police officers out on duty and finds be higher but that is up to the COURTS.	Yes - please provide your contact details so that the Council can contact you with any queries about that land

					<p>How will the street events held in the Market Square or indeed sitting in the square on a warm summers evening?</p> <p>Are you intending to spoil the enjoyment of responsible citizens just for a few selfish individuals?</p> <p>We have had many successful community events in the town, many have included seating and dancing in the square. How will these be accommodated in this plan?</p> <p>The Dickens event was brough forward in an attempt to address the anti-social behavior which I understand has</p>				
87	No					No	No	Reduce the opening hours of the resellers.	No
88	Yes	Market Square	Lunchtime	Avoid market square of individual is sitting by the church		Yes	No		No
89	Maybe	Long Street	Late evening	Don't like it	Anything that will help people to be safer is good	Yes	Yes - please explain	Stronger sentencing give no quarter to young knife crimes and drug associated actions	No
90	No				Na	Yes	No		No
91	No				Hope to make town safer	Yes	No	More police	No
92	Yes	Long Street	Any day in the afternoon	Try to avoid	Ban drinking in the streets other than set events	Yes	Yes - please explain	Exceptionally loud cars	No

93	Yes	Long Street	Drinking outside of the church and using the church grounds as a toilet this can be any time of the day and any day really	I just see it as being discussing and wish that people would look after our little town better	Would this stop you sitting out side in the market square where the Angel and the Market Tavern have tables outside, this is where i like to visit and have a drink with the dog when i am walking	No	No	The area could be better policed. There are Cameras in the town if they are watched then the Issues could be delt with there and then not wait until it gets worse.	No
94	Maybe	Market Square			The restrictions seem overly broad and encompass activities which should be well outside the scope of this PSPO. In including "substances with the capacity to stimulate or depress the central nervous system." even drinking a coffee or caffeinated soft drink would appear to be banned.	Yes	No		No

95	No				<p>not really, noticed it that bad to be honest. Occasional kids messing around and a couple of blokes who used to sit at the top of the square near the church, both who can be vocally loud, but not really abusive and not significant anti social behaviour. May be a little worrying to some people but doesn't affect myself, as I am aware they suffer from social and mental difficulties and poverty and mental health shouldn't be criminalised. Weekends most likely issue but better management (doormen?) by the few pubs/drinking establishments were issues occasionally arise</p>	No	No	<p>more regular evening police patrols through the square, ON FOOT NOT IN CAR OR 4X4 WAGONS!, would help deter antisocial behaviour. A visible occasional presence is always calming and reassuring to more elderly and vulnerable residents. Support and encourage pubs and café outdoor seating and eating, using robust windbreaks around seating areas (screens and hedge/plants style) designated for various outlets in both the square and along Long Street (or mobile venues at top of square?) as long as these don't significantly impact on through pedestrian flows. Some</p>	No
96	No				<p>More police power, I feel, is essential for the safety of the public</p>	Yes	No	<p>More police presence in the town!</p>	<p>Yes - please provide your contact details so that the Council can contact you with any queries about that land</p>
97	No				<p>the resumption of the policemen walking the streets and knowing the people as apposed to driving around in cars would resolve most of the issues</p>	Yes	No		

98	Yes	Long Street	Daytime	Not on me personally but it does not look good on the town and outs people off coming	Atherstone is a great little town that just needs a few issues sorting	Yes	No		No
99	Yes	Market Square	8.30am	Loud and obnoxious	No	Yes	No	Allowing the police to have the power to remove or fine the people causing problems	No
100	Yes	Long Street	Anytime	It's very scary and very worrying as a shop owner.		Yes		No tolerance law, immediately arrest. Immediately ban from town if they can't respect the town and it's people they can't come in.	No
101	Yes	Both Market Square and the High Street	Not necessarily the same days each week but Afternoon mostly	It's unpleasant to see especially with kids around, the vomiting and urinating up the church is quite vile.	Not at present	Yes	No		No
102	Yes	Long Street	Random	People avoid town my shop is quite	No	Yes	No		No
103	Yes	Bus Station	Various	Spoil enjoyment	Introduce ASAP	Yes	No	Give police this power	No
104	No					Yes	No		No
105	No				No	No	No		No
106	Yes	Long Street	Saturday Evening	The centre feels unsafe.		Yes	Yes - please explain	More CCTV and police officers especially on a Friday or Saturday night.	No
107	No					Yes	Yes - please explain		No
108	Yes	Long Street	All the time day and night	I try not to go and shop. On long street and I won't use the public houses to go for food with family		Yes	Yes - please explain		No

109	Yes	On doorsteps of empty shops and offices in Long Street.	I'm in Atherstone every Thursday and I see it there.	I'm disgusted. I have family and friends in Atherstone but I don't wish to socialise in the town because of (1) stink of cannabis, (2) Atherstone's loud-mouthed yobs. Its generally unpleasant and threatening.	Yes. Your link above doesn't work.			Get the majority landlord (Arragon/Lloyd) to reduce his rents and get shops and flats occupied again. Bring more reasonable people into town who can shame ASBO people into better behaviour. But a dismal town with empty shop spaces encourages poor behaviour. This has been going on for 50 years.	No
110	No					Yes	Yes - please explain	More Police at troubled times.	Yes - please provide your contact details so that the Council can contact you with any queries about that land
111	No					Yes	No		No
112	Yes	Market Square	Fri-Sat, late at night	Noisy shouting,... & music from pubs after the permitted times	The link doesn't work	Yes	No		No
113	Yes	Market Square	weekends	cautious	ensure GREGSS has bollards so NO parking, more Police presence	No	No	regular policing	No
114	Yes	Market Square	Weekends and markets days	We are penioners and sometimes find it a bit unsafe and sometimes intimidated	Atherstone as a whole got worst for teenage behaviour and drunks.	Yes	Yes - please explain	A serious deterrent is needed or nothing will work	No

115	Yes	Long Street	wednesday 12 30 aprox	scary upsetting. Put me off going. Drunk man shouting and threatening to punch his dog very loudly. others were sitting on the bench drinking.	Not at moment	Yes	No	A ban.....	No
116	No					Yes	No		No
117	Yes	Long Street	Friday 8.pm	I dont go there anymore ,i go to nuneaton	Atherstone pCanal tow paths drug havens !	Yes	Yes - please explain	More police on the beat it would help make it a safer townl	No
118	No					Yes	No		No
119	Yes	Long Street	Saturday afternoons.	Overwhelming smell of cannabis.	Couldn't view it.	Yes	Yes - please explain	Consumption of alcohol outside public houses, smoking, and leaving cigarette ends lying around. Dog faeces on footpath, notices should be posted and enforced with hefty fines. Better police/ pcso visibility.	No
120	No					Yes			No
121	Yes	Market Square	Mainly Friday Saturday and can be anywhere from 4pm	I don't like to be in the town later then 3pm		Yes	No	Stop pubs from sitting outside in the street after a certain time unless it's an organised event	No
122	Yes	All 3 market Square, long street, Bus station	Various	Makes difficult to enjoy shopping	It is needed	Yes	No	Implement PSPO asap	No
123	No				None	No	No	No level of legislation will ever stop certain individuals from causing raucous behaviour	No
124									
125	No				No	Yes	No	No	No

126	No				Cannot open the document. So cannot provide any further response				
127	No				Allow drinking in the market square during summer period up to 9pm. Draft not available on your site		Yes - please explain		No
128	Yes	Market Square	In the afternoons	It is intimidating and puts off customers		Yes	No		No
129	No				None	Yes	Yes - please explain	More fines	No
130	No					Yes	No		No
131	No				No	No	No	No	No
132	No				Not sure that this is needed.	No	No	None, but question whether an order is required.	No
133	Maybe	Long Street	Evening weekends	Made me more cautious		Yes	No		No
134	Yes	Market Square	Occasionally various and random	Makes me think Atherstone isn't improving, which I think it generally is in terms of shops and housing.	No	Yes	No	PSPO should be sufficient	No
135	Yes	Long Street	Most late mornings	Avoid market square shops	It might impact summer trade to pubs in the square	No	No		No
136	No					Yes	No		No
137	No				Only in Town in daylight hours..	Yes	Yes - please explain	Stopping the Drugs and unreal consumption of Alcohol needs to be addressed. .imo	No

138	Maybe	Bus Station	Friday 16.00 hrs	Makes me feels nervous while using the buses station. Unsure of the behaviour or actions of which may occur.	The public should feel safe while using the shopping area so they can relax and enjoy the local area. And shouldn't feel fearful while waiting at the bus station.	Yes	Yes - please explain	Drinking of Alcohol especially in the shopping area and bus station	No
139	No					Yes	Yes - please explain		No
140	No					Yes	No		No
141	Yes	Parks	Anytime after 7pm	Worried about walking around on own and worried for my children		Yes	No	Discipline regardless of age	No
142	No				No not at this stage	Yes	No	More special Officers Police frpm 9 0/c To 11 O/C	No
143	No					Yes	No	Police presence as used to have	No
144	No					Yes	No		No
145	Yes	Long Street	Sunday 3pm	Discourage further visits	Long overdue	Yes	No	Increase police presence	No
146	Maybe	Long Street	Evenings	Usually leave		Yes	Yes - please explain		No
147	Yes	Long Street	Thursday 2pm	It puts me off coming into the town		Yes	No		No
148	No					Yes			No
149	Yes	Market Square	I have noticed it on a Saturday afternoon	Made me feel uncomfortable	To stop people hanging around drinking and making a nuisance of them selves would make a lot more people happier about going into town and supporting their local businesses.£	Yes	Yes - please explain	Yo have groups off young dispersed and sent on there way.	No
150	Yes	Bus Station	Weekends mostly	Feel uncomfortable	The areas need to be governed better	Yes	Yes - please explain	Better c t covering	Yes - please provide your contact details so that the Council can contact you with any queries about that land

151	No				Have noticed increase in bikers and quad bikes churning up the park in Baddesley	Yes	No	No	No
152	Yes	Long Street	Evening 6:30 onwards	Avoiding town	No	Yes	No	More police	No
153	No				Not the only area with trouble	Yes	Yes - please explain	More for kids to do in the area.. parents held more accountable for their kids	No
154	Yes	All of the above	Details on incident dates, times and locations can be found within the confidential active monitoring logs from the CCTV Joint Committee.	N/A	<p>Council recognise that there are instances of Anti-Social Behaviour which occur in the Town, there is some concern as to whether the proposed Public Spaces Protection Order is a proportionate response for the behaviour of a few individuals and whether this can be tackled in a way that has less potential to curtail on events in the Town involving alcohol that the majority of the public are able to enjoy responsibly.</p> <p>Concern has been expressed that a lack of evidence that the two 'conditions' to apply a PSPO have been met. We have been unable to find evidence in</p>	Yes	Yes - please explain	<p>Applying for a PSPO on the basis of evidence from this 'consultation' could leave NWBC open to judicial challenge.</p> <p>We believe our public spaces should be welcoming and inclusive places for all and that other measures can be used to address problems caused by particular individuals which are just as effective and do not come with the inherent risks of area based control measures.(ii & iii)</p> <p>The Borough Council appears to be proposing the widest possible "catch all" wording (i) for this order without identifying the nature or type of behavioural</p>	Yes - please provide your contact details so that the Council can contact you with any queries about that land
155	No				Will this stop pubs and cafes adjacent to market square from using the square as additional seating area?	No	No		No

156	Yes	Market Square	Friday and Saturday night, mostly outside the wine bar on market square	I live on the market square, the loud music from the wine bar keeps me awake, and after the wine bar has closed, people carry on drinking on the square. It is having a severe impact on my mental health.	Please, do something about the underage drinking at the wine bar and the fights outside The Legion	Yes	Yes - please explain	<p>Enforce the law to deal with the underage drinking at the Wine Bar and the illegal vapes being sold there</p> <p>Do something about the motorbikes with illegally loud exhausts revving their engines on the square</p> <p>Deal with the cannabis farm in the flats above The Square Hair and Beauty, tenants there also brag about the firearms they have there</p> <p>Stop the drinking on the pavement outside The Legion</p>	No
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North Warwickshire
Borough Council

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59**

**NORTH WARWICKSHIRE BOROUGH COUNCIL ATHERSTONE 2024 (No1) PUBLIC
SPACES PROTECTION ORDER (ALCOHOL CONSUMPTION AND SUBSTANCE MISUSE)**

North Warwickshire Borough Council (“the Council”) in exercise of its powers under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and under all other enabling powers, hereby makes the following order:

1. This order may be cited as the North Warwickshire Borough Council (Atherstone) Public Space Protection Order 2024 No 1 (Alcohol consumption and substance misuse).
2. **Location** - This order relates to the public space within the area of Atherstone Town Centre including Market Square and Long Street and includes adjoining alleyways as shown edged in red on the attached Plan at Appendix 1 (the restricted area) unless subject to exemptions.
3. The Council is satisfied that the three conditions below have been met, in that: -
 - a. Activities carried out in the restricted area as described below have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the restricted area and they will have such an effect.
 - b. The effect, or likely effects of the activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.
 - c. The restricted behaviour is or is likely to be unreasonable.

PROHIBITIONS:

4. The effect of the Order is to impose the following prohibitions and/or requirements at all times: -
- a. Persons within the restricted area must not without reasonable excuse ingest, inhale, inject, smoke or otherwise use intoxicating substances. 'Intoxicating substances' is given the following definition (which includes - what are commonly known as 'legal highs'): substances with the capacity to stimulate or depress the central nervous system.
 - b. Any person who uses or is in possession of intoxicating substances in breach of this prohibition must surrender those items to a Police Officer, Police Community Support Officer or Authorised Person from the Council.
 - c. Persons within the restricted area must not without reasonable excuse consume alcohol.
 - d. If a Police Officer, Police Community Support Officer or Authorised Person from the Council reasonably believes that any person is or has been consuming alcohol in breach of this prohibition the Officer / Authorised Person may require the person:
 - i. not to consume alcohol or anything that the Officer / Authorised Person believes to be alcohol; and/or
 - ii. to surrender anything in that person's possession which is or which the Officer / Authorised Person believes to be alcohol or a container for alcohol.

5. FIXED PENALTY NOTICES AND OFFENCES:

In accordance with section 63 and 67 of the Act:

- a. any person found to be in breach of this Order by consuming alcohol who refuses to stop doing so or refuses to surrender the items to a Police Officer, Police Community Support Officer or Authorised Person from the Council without reasonable excuse is liable to get a Fixed Penalty Notice up to £100 or on summary conviction to a maximum fine not exceeding level 2 (£500).
- b. any person found to be in breach of this Order by consuming intoxicating substances or refusing to surrender those items to a Police Officer, Police Community Support Officer or Authorised Person from the Council without reasonable excuse is liable to get a Fixed Penalty Notice up to £100 or on summary conviction to a maximum fine not exceeding level 3 (£1000).

A constable or authorised person may issue a fixed penalty notice to anyone he or she believes has committed an offence. The person will have 14 days to pay the fixed penalty of £100 (discounted to £75 if paid in 10 days).

6. EXEMPTIONS AND APPEALS

EXEMPTIONS

- a. Premises authorised by a premises licence (other than Council operated licensed premises) to be used for the supply of alcohol.
- b. Premises authorised by a club premises certificate to be used by the Club for the supply of alcohol.
- c. A place within the curtilage of the premises described at (a) and (b) above.
- d. Premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been used within 30 minutes before that time.
- e. A place where facilities or activities relating to the sale or consumption of alcohol are at relevant time permitted by virtue of a permission granted under Section 115 of the Highways Act 1980 (highway related use).

APPEALS

Any challenge to this order must be made to the High Court by an interested person within six weeks of it being made.

The order will come into force on ***** and remain in place for the period of three years.

Date this day of 2024

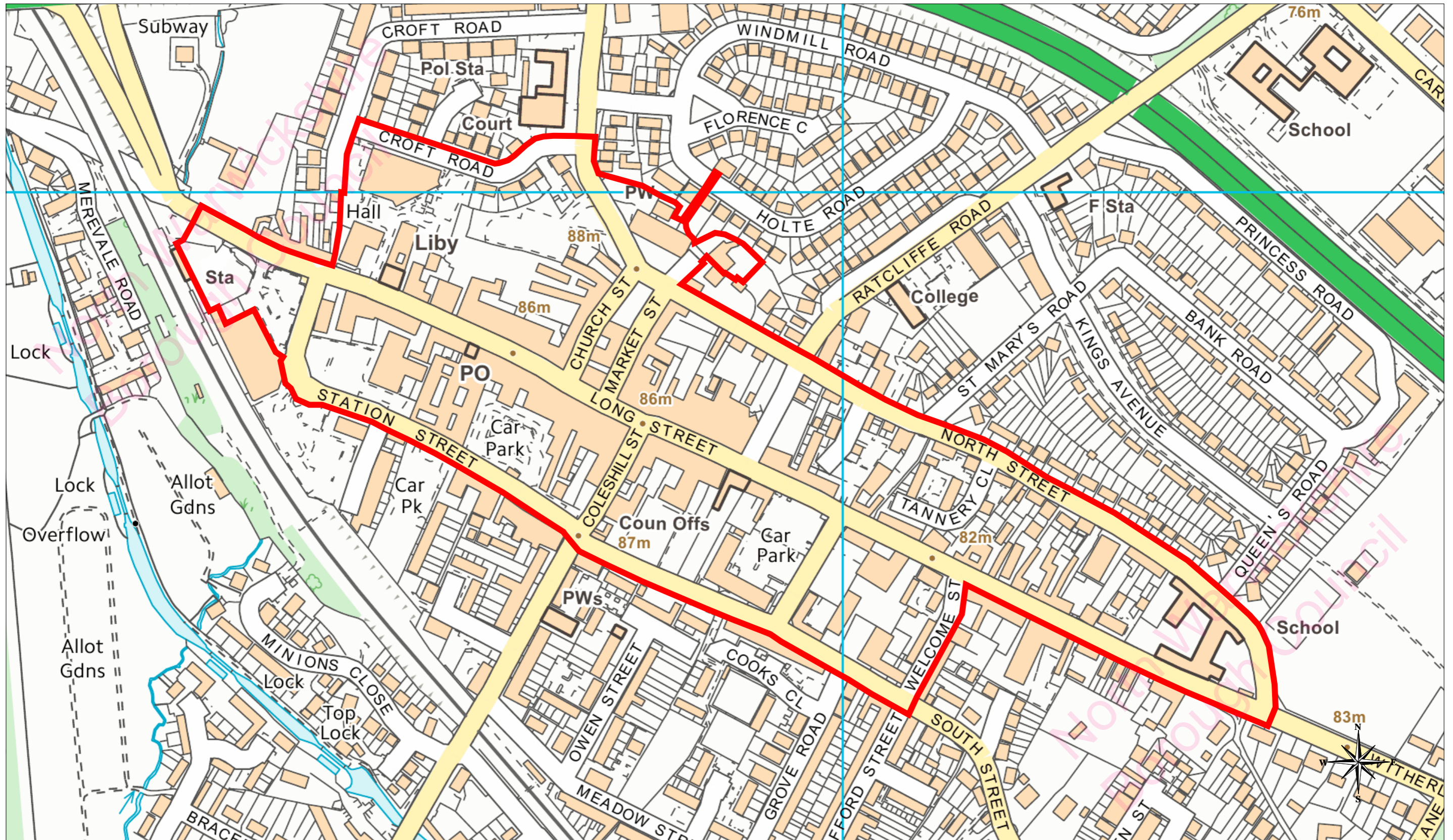
The Common seal of

North Warwickshire Borough Council

Was here unto affixed in the presence of –

Designated Officer

Atherstone PSPO



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North Warwickshire
Borough Council



Operator:	xxxxxx
Department:	xxxxxx
Drawing No:	xxxxxx
Date: 09/11/2023	Scale: 1:3173

Agenda Item No 8

Executive Board

11 June 2024

**Report of the
Chief Executive**

Exclusion of the Public and Press

Recommendation to the Board

To consider, in accordance with Section 100A(4) of the Local Government Act 1972, whether it is in the public interest that the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.

Agenda Item No 9

Performance Management – Report of the Chief Executive

Paragraph 1 – Information relating to any individual.

Agenda Item No 10

Environmental Health – Report of the Chief Executive

Paragraph 1 – Information relating to any individual.

Agenda Item No 11

Housing Company – Report of the Chief Executive

Paragraph 1 – Information relating to any individual.

Agenda Item No 12

Exempt Executive Board - Minutes – 18 March 2024

Paragraph 3 – Information relating to the financial or business affairs of any particular person.

In relation to the items listed above members should only exclude the public if the public interest in doing so outweighs the public interest in disclosing the information, giving their reasons as to why that is the case.

The Contact Officer for this report is Amanda Tonks (719221)