

Supporting Information

The PSPO would apply within the Restricted Area (see map provided). It aims to reduce anti-social behaviour and improve safety for all visitors. The following prohibitions and requirements are proposed:

1. Groups of Three or More

An authorised officer (Police or Council) may require a group of three or more people, or any individual within such a group, to leave the Restricted Area if they reasonably suspect that anyone in the group:

- Is causing, or is likely to cause, nuisance or disorder; or
- Is causing harassment, alarm, or distress to others.

If required to leave:

- (a) The person must leave immediately;
- (b) They must not remain in the Restricted Area;
- (c) They must not return within 24 hours of being asked to leave.

Exception: A person does not breach clause (c) if they attend a railway station, bus stop, or tram stop within the Restricted Area, provided they are not accompanied by another person who has been required to leave (except dependants or household members).

2. Face Coverings

No person shall, without reasonable excuse, wear a face covering that conceals or partially conceals their identity within the Restricted Area.

Reasonable excuses include (but are not limited to):

- Religious reasons
- Legal requirements relating to PPE
- Medical reasons

Proposed Enforcement

Under 18s

- 1st breach: Warning and education; information on positive diversionary activities

- 2nd breach: Further engagement and letter to parent/guardian
- 3rd breach: Referral to West Midlands Police ASB Team; possible restorative justice or injunction

18 and Over

- 1st breach: Warning and education; diversionary activity if appropriate
- 2nd breach: Fixed Penalty Notice (FPN)
- 3rd breach: Case-by-case assessment; possible injunction, Criminal Behaviour Order, or arrest if offence is criminal

Boundary

The proposed PSPO would cover Bentley Bridge Retail and Leisure Park, including associated car parks and public spaces. (*See separate map*)

Duration

The PSPO would be in place for three years, subject to review.

Legal Consequences and Breaches Explained

Failing to comply with the PSPO is a criminal offence under the Anti-social Behaviour, Crime and Policing Act 2014. This means:

- First breach: You may receive a warning and advice about the rules.
- Further breaches: You could be issued a Fixed Penalty Notice (FPN) – this is a fine (usually £100) that must be paid within 14 days.
- If you ignore the FPN or continue to break the rules:
 - You could be taken to court, where the maximum fine is £1,000.
 - The court may also impose additional restrictions on you through an injunction or a Criminal Behaviour Order (CBO).

What is a Criminal Behaviour Order (CBO)?

A CBO is a court order that places strict conditions on someone who repeatedly causes anti-social behaviour. For example:

- It can ban you from certain places.

- It can stop you from meeting certain people.
- Breaching a CBO is a serious criminal offence and can lead to arrest and prison.

Under 18s

Young people will not be fined immediately. Instead:

- They will receive warnings and support first.
- If behaviour continues, parents/guardians will be contacted.
- Persistent breaches could lead to police involvement and possible court action.