

Appendix 3

PSPO Statutory tests Review

Essential Criteria

Question	Y/N	Comments
Is there evidence that any member of the public has, or is likely to, suffer nuisance or annoyance as a result of specific activities and/or behaviours in a public space?	Yes	Details of police reports, emails to councillors and reports from the Office of Police and Crime Commissioner have been provided to evidence that the public have reported suffering nuisance or annoyance because of specific activities and/or behaviours in a public space. The request form also states that police officers receive verbal complaints through their day-to-day community policing and engagement meetings where they can confirm that mechanically propelled vehicles are causing concern amongst the residents of East Cambridgeshire.
2. Is there evidence to show that these activities and/or behaviours, and the associated problems, are or are likely to be persistent or continuing in nature, either in terms of: •A long standing problem that can be evidenced as an issue for more than 6 months. OR • A problem that occurs consistently at a particular point in the year, each year for at least 3 years?	Yes	The Police reports submitted as evidence range from 01.01.2022 to 31.07.2025. The PSPO Request Form states that this has been a problem for an approximately 20-years and various solutions through a multi-agency approach have been explored.
Are the contributing activities and/or behaviours unreasonable?	Yes	Behaviours of some drivers attending car meets is deemed unreasonable and is negatively impacting the lives of residents in East Cambridgeshire. Where isolated incidences occur, behaviours are also deemed unreasonable however they are sporadic and vary in impact, without regular pattern.

Desirable Criteria

Question	Y/N	Comments
Are you able to clearly and concisely define the behaviours and/or activities you wish to restrict or require to alleviate the problem? These can be: • Blanket restrictions or requirements, or targeted against certain behaviours by certain groups, at certain times • Restrictions on access to a public space where that route is being used to commit ASB	Yes	Proposed prohibitions have been set out by the police in the PSPO Request Form.
Can you demonstrate that the actions taken are proportionate to the problem they are trying to prevent?	Yes	A wide range of other preventative and enforcement methods have been considered and/or tried (as set out at Appendix 2), however have proven ineffective, and the reasons why have been set out in the request. A case has been provided as to why a PSPO is required and is proportionate to the problem.
Can you demonstrate that the action being taken is relevant and necessary for the problem it is trying to prevent, and addresses the root causes that give rise to it?	Yes	A wide range of other preventative and enforcement methods have been considered and/or tried, (as set out at Appendix 2), however have proven ineffective, and the reasons why have been set out in the request. A case has been provided as to why a PSPO is required and is proportionate to the problem. The root cause of anti-social driving, especially that being carried out by drivers not attending a vehicle meet, may not be addressed, however a PSPO will likely deter drivers from carrying out the behaviours and is therefore deemed relevant and necessary.
Is there evidence that the proposed PSPO does not discriminate against any disadvantaged or vulnerable people?	Yes	PSPO applies to all drivers of motor vehicles. Equality Impact Assessment to be conducted following consultation.

Have other options been tried and have these been documented?	Yes	The PSPO Request Form sets out other options that have been considered and/or tried but have proven ineffective. The request form sets out the reasons why other options have not been successful. These other interventions explored are included at Appendix 2 of the committee report.
Are sufficient resources available (Council, Police and/or other) to enforce the proposed PSPO?	Yes	The Police, ECDC Customer Services, and ECDC Legal Services have committed to support enforcement activity.
Are there additional cost or resource implications of the proposed PSPO?	Yes	Funding is required by ECDC to fund capital/set up costs e.g. signage. A bid will be submitted to access a grant fund from the OPCC to cover these costs. Funding is required by ECDC to fund ongoing enforcement/administrative/legal costs - there will be no additional staffing or administrative costs for the Council associated with issuing Fixed Penalty Notices (FPN). Fixed Penalty Notices (FPNs) of £100 will be issued by the police to persons in breach of the PSPO. The impact on income from issuing FPNs will be used to offset any costs incurred. The Police have committed to support enforcement activity.