



**Derbyshire  
Police and Crime  
Commissioner**

*Protecting Communities,  
Fighting Crime*

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Mr M Key,  
Health and Well Being Manager  
Chesterfield Borough Council

BY EMAIL  
25<sup>th</sup> September 2017

Dear Sir

#### Public Space Protection Order Consultation

Further to your correspondence regarding the above, the Commissioner has asked that I respond to your consultation regarding the making of the two Public Space Protection Orders detailed in your letter.

The Commissioner is supportive of the making of PSPOs as an additional tool for dealing with anti-social behaviour where there is evidence to support the need for a PSPO, where the terms of the order are proportionate to the issue(s) it is designed to deal with, and where the relevant criteria laid down in the legislation are satisfied.

The Commissioner is aware of the history behind this consultation, and of the need for a PSPO, having hosted the Chesterfield Town Centre Summit to consider the problems of anti-social behaviour in Chesterfield Town Centre. Consequently, he is supportive of the making of PSPOs in this particular instance. The Commissioner also welcomes the Borough Council's commitment to find the resources necessary to support the enforcement of any prohibitions, were they to be introduced, rather than simply relying on the Police, and also of the Council's stated aim of entering into a memorandum of understanding with the Force regarding any enforcement action.

As far as both proposed orders are concerned, the Commissioner would make the following additional comments:

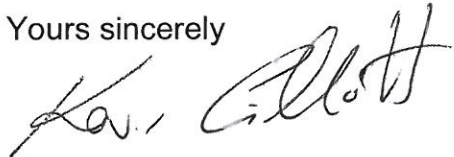
- That a larger scale map with street names is included in the orders so that there can be no doubt as to the geographical extent of them.
- That the Council satisfy itself that no residential properties, particularly on Clarence Road where the scale of the current map leaves room for doubt, are included within the designated area. Whilst the wording of the proposed order is clear in stating that the order only applies to areas "where the public or any section of the public has access", the Commissioner is of the view that residential properties should not be included within the designated area.



In addition, as far as PSPO Chesterfield (No1) 2017 order is concerned, the Commissioner notes that the proposed penalty is a level 2 fine whilst a breach of the proposed PSPO Chesterfield (No2) 2017 order is a level 3 fine. Finally, the Commissioner would ask the Council to consider amending section 2.0 Tents and other structures of the No2 order to read "... tent or other similar temporary structure..." so that the order is not used to prohibit activity connected with lawful peaceful protest.

The Commissioner would ask that you keep him informed of the Council's final decision once the consultation process is concluded.

Yours sincerely

A handwritten signature in black ink, appearing to read "Kevin Gillott". The signature is written in a cursive style with a large initial 'K'.

Kevin Gillott  
Deputy Police and Crime Commissioner for Derbyshire

