



**Memorandum of understanding between  
West Mercia Police & Shropshire Council  
in relation to the**

**SHREWSBURY TOWN CENTRE PUBLIC SPACES PROTECTION  
ORDER (No 1) 2017**

It is agreed that West Mercia Police will be the primary enforcing agency for the SHREWSBURY TOWN CENTRE PUBLIC SPACES PROTECTION ORDER (No 1) 2017 hereafter referred to as the 'PSPO'. The term 'authorised Officer' in the Act will include Police Officers & Police Community Support Officers (PCSO) in addition to any authorised officers of Shropshire Council.

West Mercia Police having been consulted throughout the process, and in line with the Act agree to enforce each of the prohibitions set out in the PSPO.

All Authorised Officers will be issued with a Shropshire Council PSPO Crime report (PCR) book which will be used in the event of a breach of the PSPO being identified. This PCR will also be used in circumstances where a person has been required by virtue of the PSPO to stop drinking alcohol or to hand over any container/s containing alcohol or where a person has been required to disperse from the public area for a period of 48 hours.

Where an Authorised Officer has issued a PCR to any person then a copy of this notice will be provided to Shropshire Council along with all evidence obtained, including any officer/s statement/s, notebook entry or any other material that would support its issue at the earliest opportunity and no later than 10 days after issue. Shropshire Council will review each PCR issued, along with the accompanying evidential material received and consider the most appropriate form of action in each case. This could include the use of written warnings, fixed penalty notices (FPN), simple cautions or the commencement of legal proceedings.

Where it is considered appropriate to issue a Fixed Penalty for an identified breach of a PSPO, Shropshire Council will issue the FPN either by post or, where necessary and with the support of West Mercia Police, in person. In the event that a Fixed Penalty Notice is refused or not paid, Shropshire Council will undertake a review of the evidence provided and consider initiating legal proceedings in respect of the original offence. Any Fixed Penalty Notice issued in respect of a breach of the PSPO is payable to Shropshire Council.

Any form of enforcement action either by or on behalf of Shropshire Council will be undertaken in consideration with Shropshire Councils Better Regulatory and Enforcement Policy, hereafter referred to as the 'Policy'. West Mercia Police will, where necessary and appropriate, have due regard to this Policy whilst undertaking any enforcement action with respect to the PSPO.

West Mercia Police understand and accept that any decision to proceed with legal proceedings for any PSPO breach reported to Shropshire Council will rest with the Council having considered all the facts and given due regard to the Policy. Notwithstanding, in the event that an in-custody case results in the charging of any person for a PSPO breach, a legal representative on behalf of Shropshire Council, as the prosecuting agency, will where practicable and with sufficient notice attend any magistrates court hearing. In such circumstance West Mercia Police will provide to Shropshire Council full evidential material at the earliest opportunity.

This Memorandum of Understanding will apply to the PSPO, including any amendments which are agreed by West Mercia Police, for the time the PSPO remains in force. The memorandum will be reviewed as required by either party or annually.

Signed:   
(on behalf of West Mercia Police)

Date: 17<sup>th</sup> November 2016

Name: DAVID MCWILLIAM

Position: SUPERINTENDENT

Signed:   
(on behalf of Shropshire Council Public Protection)

Date: 21 November 2016

Name: FRANCES DARLING

Position: OPERATIONS MANAGER  
(TRADING STANDARDS AND LICENSING)