



# CABINET

23 September 2015

A meeting of the CABINET will be held on Thursday, 1st October, 2015, 6.00 pm in Committee Room 1 Marmion House, Lichfield Street, Tamworth

---

## A G E N D A

### NON CONFIDENTIAL

**1 Apologies for Absence**

**2 Minutes of the Previous Meeting** (Pages 1 - 4)

**3 Declarations of Interest**

*To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.*

*When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.*

**4 Question Time:**

To answer questions from members of the public pursuant to Executive Procedure Rule No. 13

**5 Matters Referred to the Cabinet in Accordance with the Overview and Scrutiny Procedure Rules**

None

**6 Arts and Events Programme 2016-17** (Pages 5 - 12)

(The Report of the Portfolio Holder for Operations and Assets)

**7 ASB, Crime and Policing Act - Public Space Protection Order Consideration**  
(Pages 13 - 32)

**8 Exclusion of the Press and Public**

To consider excluding the Press and Public from the meeting by passing the following resolution:-

*“That in accordance with the provisions of the Local Authorities (Executive Arrangements) (Meeting and Access to Information) (England) Regulations 2012, and Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the consideration of the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public”*

At the time this agenda is published no representations have been received that this part of the meeting should be open to the public.

**9 Housing Revenue Account - Acquisitions Policy (Pages 33 - 74)**

(The Report of the Portfolio Holder for Housing and Waste Management)

Yours faithfully



**Chief Executive**

*People who have a disability and who would like to attend the meeting should contact Democratic Services on 01827 709264 or e-mail [committees@tamworth.gov.uk](mailto:committees@tamworth.gov.uk) preferably 24 hours prior to the meeting. We can then endeavour to ensure that any particular requirements you may have are catered for.*

To Councillors: D Cook, R Pritchard, S Claymore, S Doyle, and M Thurgood.



**MINUTES OF A MEETING OF THE  
CABINET  
HELD ON 10th SEPTEMBER 2015**

**PRESENT:** Councillor D Cook (Chair), Councillors R Pritchard, S Claymore, S Doyle and M Thurgood

The following officers were present: Anthony E Goodwin (Chief Executive), John Wheatley (Executive Director Corporate Services), Andrew Barratt (Director - Assets and Environment) and Matthew Bowers (Head of Planning and Regeneration)

**43 APOLOGIES FOR ABSENCE**

None

**44 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 20 August 2015 were approved and signed as a correct record.

*(Moved by Councillor M Thurgood and seconded by Councillor S Doyle)*

**45 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**46 QUESTION TIME:**

None

**47 MATTERS REFERRED TO THE CABINET IN ACCORDANCE WITH THE  
OVERVIEW AND SCRUTINY PROCEDURE RULES**

Councillor A James presented a report on the recommendation of all current and future Members to be subject to a DBS check

**RESOLVED:** The Protection of Freedoms Act 2012 took Councillors outside of the Safeguarding of Vulnerable Groups Act 2006 regime entirely. Councillors appear to be no longer required to undertake a DBS check in accordance with the eligible

positions guide.

However Cabinet feel there is potential benefit in a scheme being examined to see if it's workable. We ask that Scrutiny go back to their next meeting and look to work up a process, possibly voluntary that could be implemented as policy. We ask that potential risks and benefits form part of this review and it is completed hand in hand with the Solicitor to the Council and Monitoring Officer.

*(Moved by Councillor D Cook and seconded by Councillor R Pritchard)*

#### **48 PROPOSALS FOR A WEST MIDLANDS COMBINED AUTHORITY**

The Report of the Chief Executive setting out the key issues relating to the Government's devolution agenda and updating the Committee on the proposals to establish a West Midlands Combined Authority by 1 April 2016 and the development of a devolution deal. Also the Committee were updated on discussions held with Staffordshire local authorities

#### **RESOLVED:**

- That
- 1 the actions of the Leader and CEO in relation to the Council's engagement in the Devolution debate and work streams be endorsed by Cabinet;
  - 2 Cabinet endorse the Statutory Governance Review and draft scheme relating to the proposed WMCA;
  - 3 Cabinet recommend to Council on 15<sup>th</sup> September 2015 that Tamworth Borough Council accept the invitation to take up non-constituent membership of the proposed WMCA as and that the decision be communicated to the Chair of the Shadow Board for inclusion in the submission to the Secretary of State;
  - 4 the actions of the Leader and CEO in relation to the Council's engagement in the Devolution debate and work streams be endorsed by Cabinet;
  - 5 The Leader and CEO (or their nominated deputies) be authorised by Council to represent them on relevant and appropriate bodies associated with the proposed WMCA\*, the Devolution Deal\* and/or forums relating to strategic collaboration across Staffordshire and its surrounds and;
  - 6 this will be subject to the necessary approvals from the Secretary of State for DCLG and the Treasury

*(Moved by Councillor D Cook and seconded by Councillor S Claymore)*

---

Leader

DRAFT

This page is intentionally left blank

THURSDAY, 1 OCTOBER 2015

**REPORT OF THE PORTFOLIO HOLDER FOR OPERATIONS AND ASSETS****ARTS AND EVENTS PROGRAMME 2016-17****EXEMPT INFORMATION**

None

**PURPOSE**

To update members on arts and events team figures and feedback additional funding.

To seek approval for the proposed Arts and Events programme in 2016/17 and seek approval to submit a bid to Arts Council England and spend the additional funding should the bid be successful

**RECOMMENDATIONS**

That Cabinet:-

1. Endorse the update given on the 2015/16 programme
2. Approve the 2016/17 programme
3. Approve the application to the Arts Council for a grant to further enhance activities in the 2016/17 programme and authorise spend of the additional grant funding should the application be successful

**EXECUTIVE SUMMARY**

2015 has seen the Arts and events team develop and deliver a wide range of both community and commercial projects. Funding from Tamworth Borough Council and Arts Council England for the "I am Tamworth" project has enabled Tamworth Borough Council to roll out a range of community programmes and opportunities for local arts to develop a wider range of activities in the area and give our community and artists more confidence in taking part in activities and leading their own programmes without relying solely on the authority. The programme has raised the profile of arts in the area and has received regional and national coverage. To date "I am Tamworth" has engaged over 18,000 people, through workshops, activities and audience. A full independent evaluation on the programme will be produced later this year once the programme has completed.

The commercial elements of the service have piloted schemes to increase income for the service. In particular changes to the delivery of outdoor events have developed new income streams which we intend to roll out further in 2016/17. These include chargeable activities at events, ticketed commercial events and rent charges for

those attending with stalls. To date the evaluation for the arts and events team indicates that 98% of the public attending events, shows and activities rate it good to excellent with a 100% recommendation rate. Of particular note was the “We Love Tamworth” event which was the first Council hosted event to largely break even.

The development and changes are all part of the wider ambitions of the authority and service areas to build reliance and deliver more activities using our resources more effectively and pulling together the resources of other local organisations commercial and community. They link to the long term ambitions of the service demonstrating the ability of the service to attract additional funding and income opportunities.

In June 2015 the Heritage Lottery Fund confirmed that Tamworth Borough Council were successful with a bid submitted to their funding programme. This funding alongside the funds already committed means we are now able to move forward with the redevelopment of Tamworth Assembly Rooms. As detailed in reports submitted to cabinet it is proposed that Tamworth Assembly Rooms will be closed to the public from February 8<sup>th</sup> 2016 to allow for the refurbishment works to be carried out. The first 6 months of the closure period will involve enabling and strip out works. The construction team are expected on site in September, subject to tender timescales. The full closure period will be more definite once the main building contract is awarded but it is expected to be between 18 months to two years.

During the closure Arts and Events will still deliver a wide programme of activities as well as managing the development project. This will include a range of arts activities and events including our commitment to current building users. The arts and events team will deliver the following during this time:

### **1. Art in Unusual Spaces Programme**

To ensure that there is not a dip in arts activities the arts and events team are proposing to run another large scale arts programme, moving forward from the well-received “I am Tamworth” scheme. Key partners have been identified to deliver a wide programme of indoor and outdoor performances and activity programmes. This will include partnerships with national arts companies’ further raising the profile of work in Tamworth. The programme will also engage in key national projects in WW1 Remembrance, Big Draw, Capability Brown and a world record attempt. The arts and Events team wish to seek permission from the authority to apply for further Arts Council England funding to help support this. Whilst we are still waiting on confirmation of figures from some partners we are expecting the bid to be £65,000. We will use our current budgets as match funding and again seek in kind and financial support from local businesses and community groups. If funding is unsuccessful we will still deliver a smaller scale project using current funding. A detailed breakdown of the programme can be found in appendix one.

### **2. Outdoor Events**

The 2016 and 2017 event programme will follow on from the 2015 programme, expanding the range of commercial events. It will also continue with the identified core events. Work around developing and supporting community and commercial groups to deliver events across Tamworth and become more involved with events already taking place to support their growth. A key objective for the outdoor events programme is to continue to increase income through the current successful income programme. An initial outline is attached in appendix two, please note dates may be subject to change.



### **3. Created in Tamworth**

Created in Tamworth requires a review of its current format to ensure its being delivered effectively and still meeting council and artists objectives. Created in Tamworth is currently in a period of flux and will require further support from the Arts and Events team to settle it down. This will include a recruitment drive for more tenants and helping establish a better operating model. Key areas of development are also to encourage the residents to take up more of the business development opportunities.

### **4. Marketing**

Marketing for arts development, outdoor events and Created in Tamworth will continue as normal during this period. There will also be a marketing and communications plan as part of the development project to ensure that users and general public are kept up to date with the progress of the works.

It is also proposed that during this period the Arts and Events team, alongside the council's communication department undertake a period of assessment. This would be carried out by tendering a piece of work for an external consultant to review our current marketing practises and advise on key areas for improvement, in particular around marketing Tamworth Assembly Rooms moving forward. This will also support a wider piece of work around communication and marketing services for the whole authority to ensure our resources are used most effectively and identify any income generation opportunities.

### **5. Consultation Programme**

During the closure and as part of our funding agreements, a large consultation project will be undertaken. The aim is that this will be extended out to ask a range of questions around the service area. This will explore the current service engagement levels and options around changes in the future delivery including how to access the service, how people want to interact with the service, what events and activities people would like to see going forward and how they would like us to display the buildings heritage. This will be undertaken through road shows, open events, online and postal questionnaires and focus groups.

### **6. Tamworth Assembly Rooms Site Management**

To ensure schedules and works are as agreed the arts and events team will keep a continuous presence on the site.

### **7. Service to Current Tamworth Assembly Rooms Users**

All current building users have been given a commitment from Tamworth Borough Council of support during this closure period. This will include marketing, technical, box office and event management aspects.

## **OPTIONS CONSIDERED**

## **RESOURCE IMPLICATIONS**

The service will deliver against budgets outlined in the medium term financial strategy and use funds already committed through that process as match funding.

## **LEGAL/RISK IMPLICATIONS BACKGROUND**

Please see attached risk assessments.

## **SUSTAINABILITY IMPLICATIONS**

## **BACKGROUND INFORMATION**

## **REPORT AUTHOR**

Elanor Hazlehurst Arts and Events Manager

## **LIST OF BACKGROUND PAPERS**

## **APPENDICES**

Appendix One: Art in Unusual Spaces Programme Outline

Appendix Two: Outdoor Events 2016-2017

## Arts in Usual Space Proposed Programme Breakdown

1. Touring Performances  
A range of performance including children's shows and theatre taking in place in community locations across Tamworth.
2. Community Remembrance Music and Poetry Project  
As part of our World War One remembrance programme. Want to create a concert including original music and poetry to be performed in Tamworth St. Edithas
3. Development of Tamworth Creative Network  
Further to our work developing local artists and creative industries we want to develop an online platform and network to highlight work in Tamworth independent of the council sites.
4. Photography Project  
Photography Project on Tamworth linked to the big mosaic project. People will get to take part in a range of workshops and activities to learn new skills.
5. Art Attack – Weekend of Arts events linked to the big draw programme. A weekend of art activities across the town centre and other location in the borough linked to the nation big draw project  
<http://www.thebigdraw.org/the-big-draw> community groups will be able to apply for pack to set up projects. Local artist will be encouraged to work with groups to try new skills that weekend. Opportunity for artists to apply for commissions to undertake work for the programme.
6. Music Outside  
Extension on bandstand programme in locations across the town centre and throughout Tamworth through June-September.
7. World Largest Picture Mosaic using Photos  
The largest picture mosaic measured 1,111.78 m<sup>2</sup> (11,967.05 ft<sup>2</sup>) and was achieved by Adana Güney Rotary Club (Turkey) in Adana, Turkey, on 14 April 2013. Our aim is to create a larger one with images submitted for Tamworth Residents on the lower lawn.
8. 24 hours in Tamworth – Digital Project  
Video and Social deal comments and entry's to create a 24 digital art project of Tamworth.

### Partner Projects

1. Arts on Bus Shelters (with Street Scene)  
Working with local groups and artists to improve the bus shelters own by TBC.
2. Public Art Piece on Island (with Street Scene)

Theme to be decided but ambition to create permanent arts project on Sainsbury's island.

## Outdoor Events 2016

<b>Event</b>	<b>Description</b>	<b>Date</b>
Sports Relief	6, 3, 1 mile run to raise money as part of the national Sports relief events. Links to Active Tamworth and ran in partnership with Sport Development team. Bi-Annual event.	Sunday 20 <sup>th</sup> March
St Georges Day Event	Medieval theme with jousting. New children's chargeable area to be introduced in 2016 to include a range of activities for a minimal fee. Charges for stall attendance. Parade with Cubs and Scouts.	Saturday 23 <sup>rd</sup> April
Gate Gallop	Local charity run to raise money for St. Giles Hospice.	Sunday 26 <sup>th</sup> June
Bandstand Extended Concert Programme	Activities in the bandstand every Saturday and Sunday.	July-September
Outdoor Theatre	Ticketed outdoor performances in parks throughout Tamworth.	TBC
Cinema Screenings	Screening to be confirmed	TBC
We Love Tamworth Event	Family fun day with a range of attractions and stalls. In partnership with Tamworth Lions.	Saturday 20 <sup>th</sup> August
Fireworks Night	Annual Fireworks display.	Saturday 5 <sup>th</sup> November
Christmas Lights	Christmas light switch on organised in partnership with Tamworth Lights Festival Committee.	Sunday 20 <sup>th</sup> November

## Outdoor Event 2017

<b>Event</b>	<b>Description</b>	<b>Date</b>
St Georges Day Event	Medieval theme with jousting. Children's area	Saturday 22 <sup>nd</sup> April
Gate Gallop	Local charity run to raise money for St. Giles Hospice.	Sunday 25 <sup>th</sup> June
Bandstand Extended Concert Programme	Activities in the bandstand every Saturday and Sunday.	July-September
Outdoor Theatre	Ticketed outdoor performances in parks throughout Tamworth.	TBC
Cinema Screenings	Screening to be confirmed	TBC
We Love Tamworth Event	Family fun day with a range of attractions and stalls. In partnership with Tamworth Lions.	Saturday 19 <sup>th</sup> August
Fireworks Night	Annual Fireworks display.	Saturday 4 <sup>th</sup> November
Christmas Lights	Christmas light switch on organised in partnership with Tamworth Lights Festival Committee.	Sunday 19 <sup>th</sup> November TBC

THURSDAY, 1 OCTOBER 2015

## REPORT OF THE PORTFOLIO HOLDER FOR COMMUNITIES AND PUBLIC HEALTH

ASB, CRIME AND POLICING ACT - PUBLIC SPACE PROTECTION ORDER  
CONSIDERATION

## EXEMPT INFORMATION

## PURPOSE

To consider proposals for Public Space Protection Orders (PSPO) in Tamworth

## RECOMMENDATIONS

1. That Cabinet approve the progression to public consultation and submission to Scrutiny Committee, thereafter for a PSPO at:

- Access Road to Dosthill Hall, Dosthill Park

2. That Cabinet, pending further monitoring of these sites, reject the proposals for suggested PSPO's at:

- The whole of the Borough of Tamworth (mini motos)
- Durham Close, Fazeley
- Wilnecote Lane/Nymet, Belgrave
- Chiltern Road, Wilnecote

However Cabinet is asked to consider the evidence associated to each case prior to determining each area.

## EXECUTIVE SUMMARY

Processes for the consideration of Public Space Protection Orders, implemented under the Anti-Social Behaviour, Crime and Policing Act 2014, were approved at Cabinet on 18 June 2015.

The following conditions must be met before making the order:

- Activities carried out in a public place within the local authority's area have a detrimental effect on the quality of life of those living in the locality **OR**
- It is likely that activities will be carried out in a public place within the area that will have such an effect

The effect, or likely effect of the activities:

- Is, or is likely to be, of a persistent or continuing nature **OR**
- Is, or is likely to be, such as to make the activities unreasonable *and* justifies the restrictions imposed by the order

As per the process agreed, each area has been considered and all evidence gathered, including police report and resident's impact statements.

An evidence determination sheet has been completed and recommendations given on each area to proceed to a statutory public consultation of 28 Days in accordance with the PSPO Guidelines.

The Tamworth Community Safety Partnership have received requests via the Police, Councillor's and members of the public for the consideration for the use of this power at the following locations:-

## **1. The Whole of the Borough of Tamworth**

### **Suggested order:-**

Prohibition of the use of mini motos include motorised scooters, go-peds, and scrambler bikes on any land to which the public have access in the Borough of Tamworth without the express permission of the landowner.

Lead agency: Staffordshire Police

### **Evidence**

Police have substantial evidence of mini motos disturbing the community, damaging the environment and putting people's safety at risk. There is little doubt that criteria is met for ongoing issues.

Between March 2014 – March 2015, Tamworth as a whole has recorded 2,005 ASB incidents which is a slight increase on the previous comparable 12 months which recorded 1948 incidents, representing an increase of 2.9 per cent. Hotspot areas include Glascote and Stonydelph.

There is some evidence also of bike and moped theft.

The majority of the incidents are during the spring and summer. The area of land (formerly Tamworth Golf Course) has seen a rise in incidents during the summer.

An education campaign has been ongoing during summer 2015.

### **Recommendation**

It already is against the law to use a mini moto in public parks, open spaces, or on footpaths, pavements, cycle routes and bridleways. It is an offence to use a mini moto on a footpath to pass from one piece of private land to another.

Insured vehicles/taxed vehicles MUST NOT drive on or over a pavement, footpath or bridleway except to gain lawful access to property, or in the case of an emergency.  
Laws Highways Act 1835 sect 72 & Road Traffic Act 1988 sect 34

Tamworth Community Safety Partnership will consider the use of additional signage on the land (formerly the golf course) and the Police will continue to use road stencils to highlight bike seizure zones.

It is considered that there are sufficient legislative powers already in place at this time, including seizure, Community Protection Notices and dispersal powers which makes the implementation of a PSPO disproportionate to the issue in question.

Perpetrators have often left an area before officers arrive and the implementation of a PSPO requires the same actions as other legislation.

At this time the recommendation is that the proposal is deferred as part of the wider review of the Anti-social behaviour concerns across public open space in Tamworth.



## **2. Chiltern Road**

Suggested order:

Prohibition of parking in Chiltern Road on Bank Holiday Mondays during the duration of the market in Robey's Lane, Alvecote (Map – Appendix 1a)

Lead Agency: Tamworth Borough Council

### **Evidence**

The Bank Holiday market has been in operation for many years and Councillors have received many complaints and representatives from residents.

Tamworth Borough Council has no records of recorded complaints and the Police have 4 substantive calls in the past two years from residents on Bank Holiday Monday.

There are no signs/lines that can be enforced by Staffordshire Civil Enforcement Officers.

Staffordshire Highways, Tamworth Police, Councillors and residents have been consulted to assess if the proposals meet the criteria for PSPO. (See Appendix 2 Section 2)

The majority of returns show that there is evidence that this issue does concern residents, albeit on an intermittent nature, four times per year.

### **Recommendation**

At this time the recommendation is that the implementation of such an order is disproportionate to the issues presented which occur on one day 4 times per year.

Enforcement of such an order cannot be undertaken by Tamworth Borough Council staff as part of contracted work commitments and would occur additional staffing resource.

It is acknowledged that the concern does have an affect on the local residents at these times and Staffordshire County Council have agreed that a proposal will be put to the County Councillor for consideration of a time limited Traffic Regulation Order and/or other yellow lines that could be enforced at this location as part of the prioritisation programme. CEOs work on Bank Holidays.

A request has been made to North Warwickshire Borough Council and Warwickshire Police for details of traffic management plans supplied by the market organisers for future years.

## **3. Access road to Dosthill Hall, Dosthill Park**

Prohibition on the gathering of vehicles permitted to park after 20:00 hours on the road and laybys opposite the Dorcas Centre, Dosthill with engines running, playing loud music and drinking (Map – Appendix 1 b)

Lead Agency: Staffordshire Police

### **Evidence**

There is a substantive amount of historical evidence from the Police with regards to vehicle gatherings

The use of a gate was considered, however this will affect public access to properties adjacent to the park.

Police and the public have been consulted and impact statements returned (Determination sheet Appendix 2, Section 3)

### **Recommendation**

That a PSPO is considered for the access road to Dosthill Road opposite the Dorcas Centre and that 28 day further public consultation period is commenced as per the process.

Draft PSPO attached as Appendix 3 with a recommendation that the order remains in force for 3 years. This will allow for monitoring and review by the Tamworth Community Safety Partnership. A PSPO can be reviewed and amended at any time on a case by case basis.

The order will allow the Police and Council delegated officers to move offenders along and/or issue Fixed Penalty Notices. Any signage will clearly indicate the requirement and the public consultation will gauge support for this.

The wider issues in the park to be considered as per the larger project for public space in Tamworth.

The results of further consultation and move to implementation will be discussed at Healthier and Safer Scrutiny Committee in November 2015 for sign off by the Portfolio Holder and public notice commenced as per the The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014.

The earliest implementation date is 1<sup>st</sup> December 2015, after which time any person wishing to challenge has six weeks to appeal to the High Court.

#### **4. Staffordshire Pathway, 91a between Wilnecote Lane, Belgrave and the Cycleway at the side of Nymet, Belgrave**

Gating or closure of the alleyway due to anti-social behaviour (Map – Appendix 1c)

Lead agency: Tamworth Borough Council

### **Evidence**

Staffordshire Highways, Tamworth Police, Councillors and residents have been consulted to assess if the proposals meets the criteria for PSPO. (See Appendix 2 Section 4)

The residents directly affected have provided some evidence and are all in favour of closure as they feel the perceived actions of passers by is unnerving.

### **Recommendation**

Police have only 4 recorded calls over two years and the area, whilst on the patrols of Community Wardens, is no longer on the hotspot list.

It is considered the issues here are consistent with the many public footpaths and alleyways throughout the Borough, which are regularly cleansed, maintained and patrolled

Gating a footpath will give ongoing maintenance liability to the Borough Council and

at this time the recommendation is that the implementation of such an order is disproportionate to the issues presented.

Staffordshire County Council object to the closure of the path and report calls each year to request that the shrubs, hedges are kept in order.

It is acknowledged that the residents do have concerns and they should be encouraged to report all activities which they consider to be anti-social behaviour to Staffordshire Police for further review at a later date as necessary.

**5. Staffordshire pathway U6071 leading from County Drive through Durham Close, Fazeley to Bitterscote Lane (420290,E 302588 N)**

Gating of the alleyway due to anti-social behaviour (Map – Appendix 1d)

**Lead agency:** Staffordshire Police

**Evidence**

Staffordshire Highways, Tamworth Police, Councillors and residents have been consulted to assess if the proposals meets the criteria for PSPO. (See App 2 Section 2)

The residents gated the alleyway personally in May 2015 and were subject to legal action by Staffordshire County Council as it was not authorised.

There were some conflicting views from the residents of Durham Close who requested closure and Bitterscote Lane who objected to it.

**Recommendation**

Police have only 3 recorded calls over two years and the area regarding damage to vehicles. The area is not on the hotspot list of Community Wardens. It is considered the issues here are consistent with the many public footpaths and alleyways throughout the Borough, which are regularly cleansed, maintained and patrolled.

Gating a footpath will give ongoing maintenance liability to the Borough Council and at this time the recommendation is that the implementation of such an order is disproportionate to the issues presented.

Staffordshire County Council have suggested that they would not necessarily object to the path being closed (subject to ongoing three year review), although they would need agreement from Police and Borough Council.

It is acknowledged that the residents do have concerns and they should be encouraged to report all activities which they consider to be anti-social behaviour to Staffordshire Police for further review at a later date as necessary or to explore other options.

**OPTIONS CONSIDERED**

All options and evidence has been considered as per Appendix 2 and proposals contained within the executive summary.

## **RESOURCE IMPLICATIONS**

The use of Public Open Space Protection Orders requires enforcement resource and can be enforced by Community Wardens, Police officers and other Council officers as designated by Tamworth Borough Council. The revenue cost associated with the cases highlighted within this report can be met from existing budgets however there will be a need to review future budget requirements as part of the 2016/17 budget process.

Any PSPOs put in place require appropriate signage and advertising as per the The Anti-Social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014 to be met from existing revenue streams. There is no requirement for a public notice in the local newspaper.

The area at Dosthill Park can be enforced by the Police and Community Wardens (when patrolling) and will be monitored over the next three years. Signage will provide options for the public to call to report breaches, but the order will not have immediate call out.

All residents will be informed of the decision of the Council by letter/email.

An application will be made to the Tamworth Community Safety Partnership for funding for the appropriate signage.

All other recommendations will be subject to continued review by the Tamworth Community Safety Partnership as issues present.

## **LEGAL/RISK IMPLICATIONS BACKGROUND**

All legal risks covered by legislation and agreed process

## **SUSTAINABILITY IMPLICATIONS**

### **BACKGROUND INFORMATION**

A Public Space Protection Orders (PSPO) is a measure to stop individuals or groups committing ASB in public places. The local authority will identify the area that is to be covered by the order – known as the ‘restricted area’.

The PSPO can:

- Prohibit specified things being done in the area
- Require specified things to be done in the area

The prohibitions or requirements can be framed so that they:

- Apply to all persons, or only persons in specified categories, or to all persons except those in specified categories
- Apply at all times, or only at specified times, or at all times except those specified
- Apply in all circumstances, or only in specified circumstances, or in all circumstances except those specified

The process is outlined in the Cabinet report of 18 June 2015.

If after consideration, areas are to be subject to a PSPO, Cabinet is to agree a statutory 28 day consultation (as outlined under the PSPO Guidelines 2014), the results of which will be discussed at Scrutiny for sign off and implementation.

**REPORT AUTHOR**

Jo Sands, Neighbourhood Services Manager

**LIST OF BACKGROUND PAPERS**

Cabinet Report 18 June 2015

Anti-Social Behaviour, Crime and Policing Act 2014

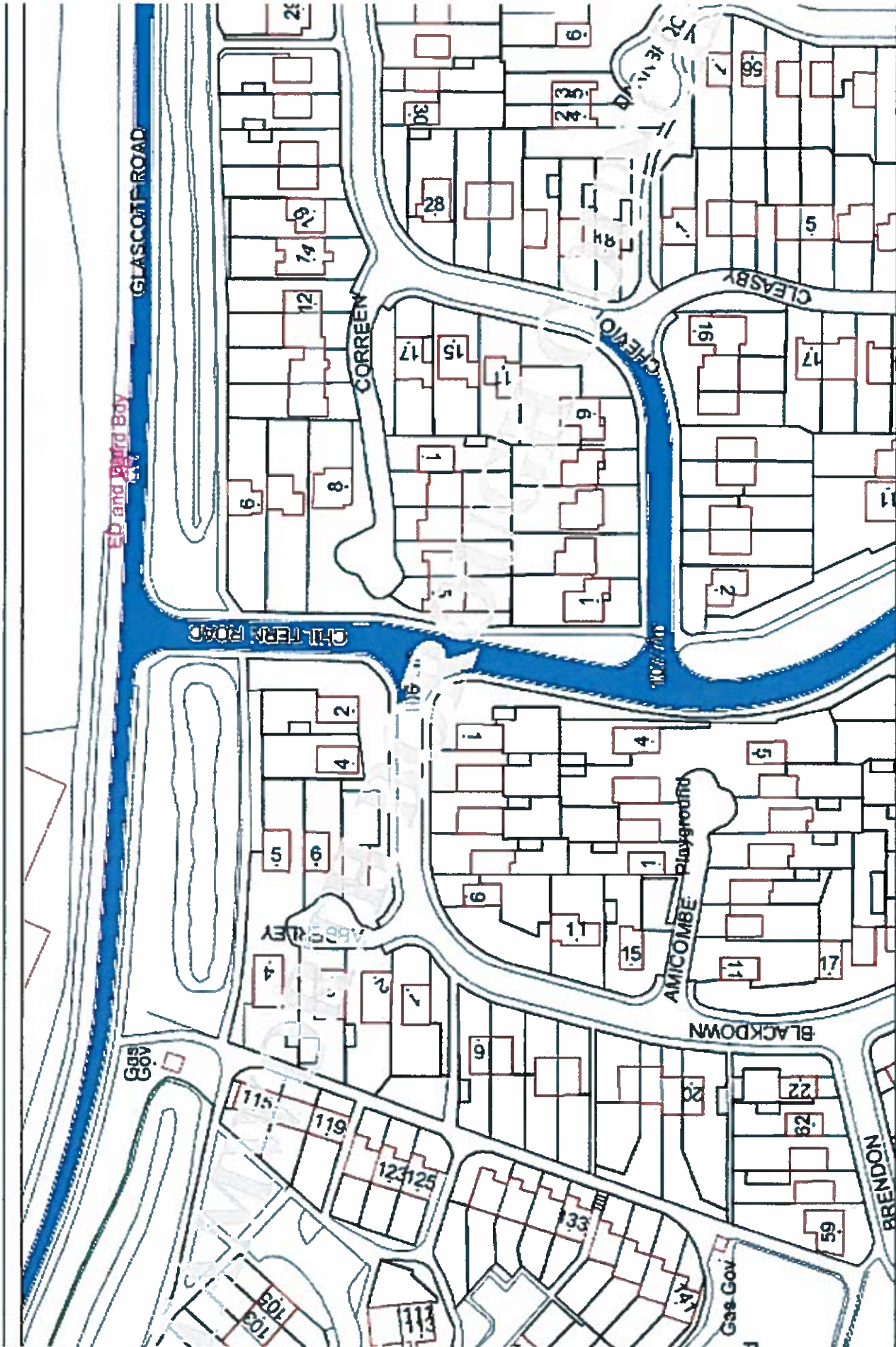
**APPENDICES**

Appendix 1a- 1d – Maps of considered areas

Appendix 2 – Summary determination sheet

Appendix 3 – Draft PSPO Dosthill

This page is intentionally left blank



© Crown Copyright 100012345  
 Ordnance Survey 100012345



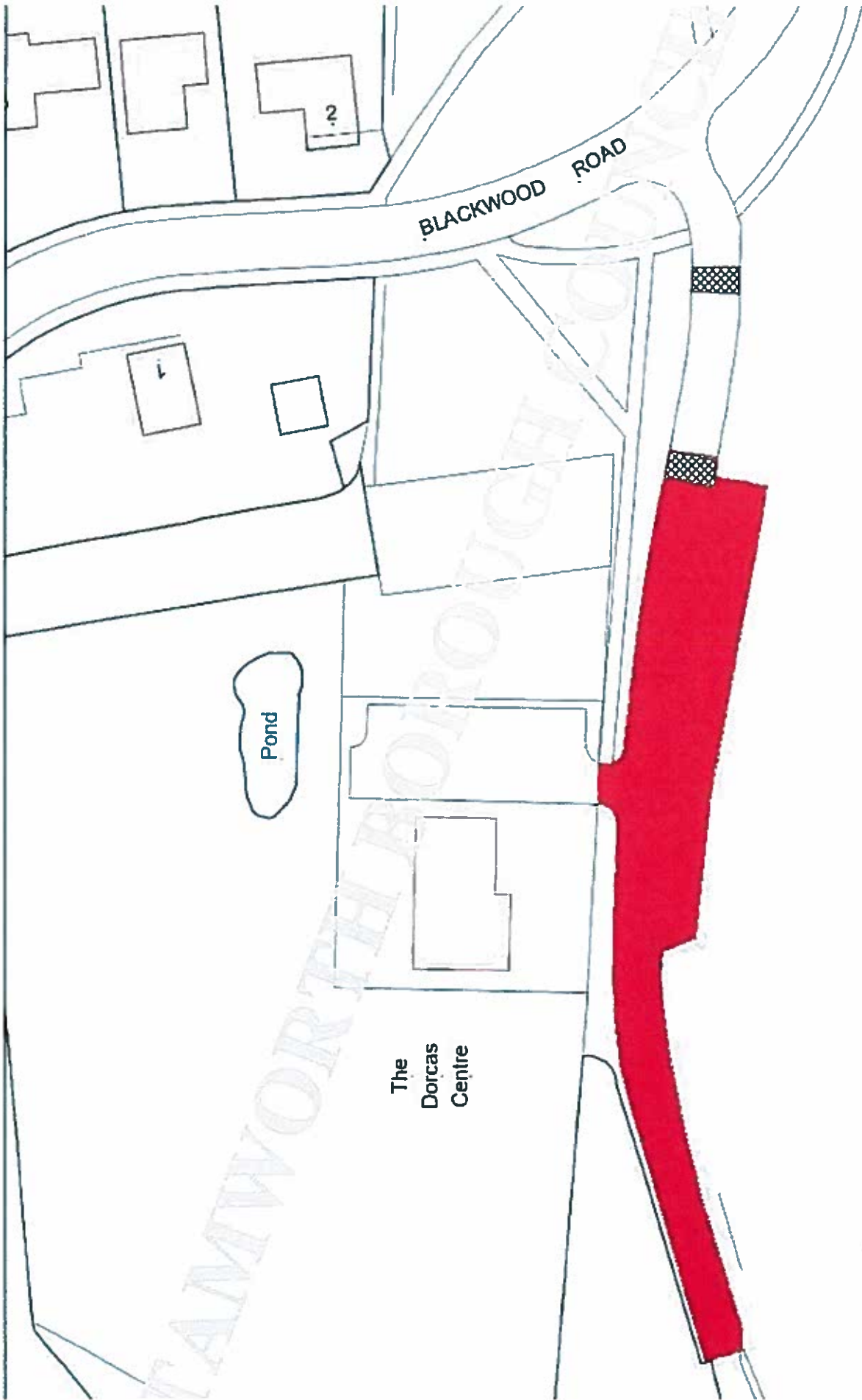
**Chiltern Road**

Date: 16/09/15      Scale: 1:1

PSPO - APPENDIX 1A

This page is intentionally left blank





© Crown Copyright and Database  
 Ordnance Survey (OS) 100019127



**Proposed Area of Public Space Protection Order - Access Road to  
 Dosthill Hall, Dosthill Park, Tamworth**

Date: 15/09/16 Scale: 1:7

PSPO- APPENDIX 1 B

This page is intentionally left blank



Birds Bush Primary School

© Crown Copyright and Database  
 Copyright 2015 Ordnance Survey 100042812

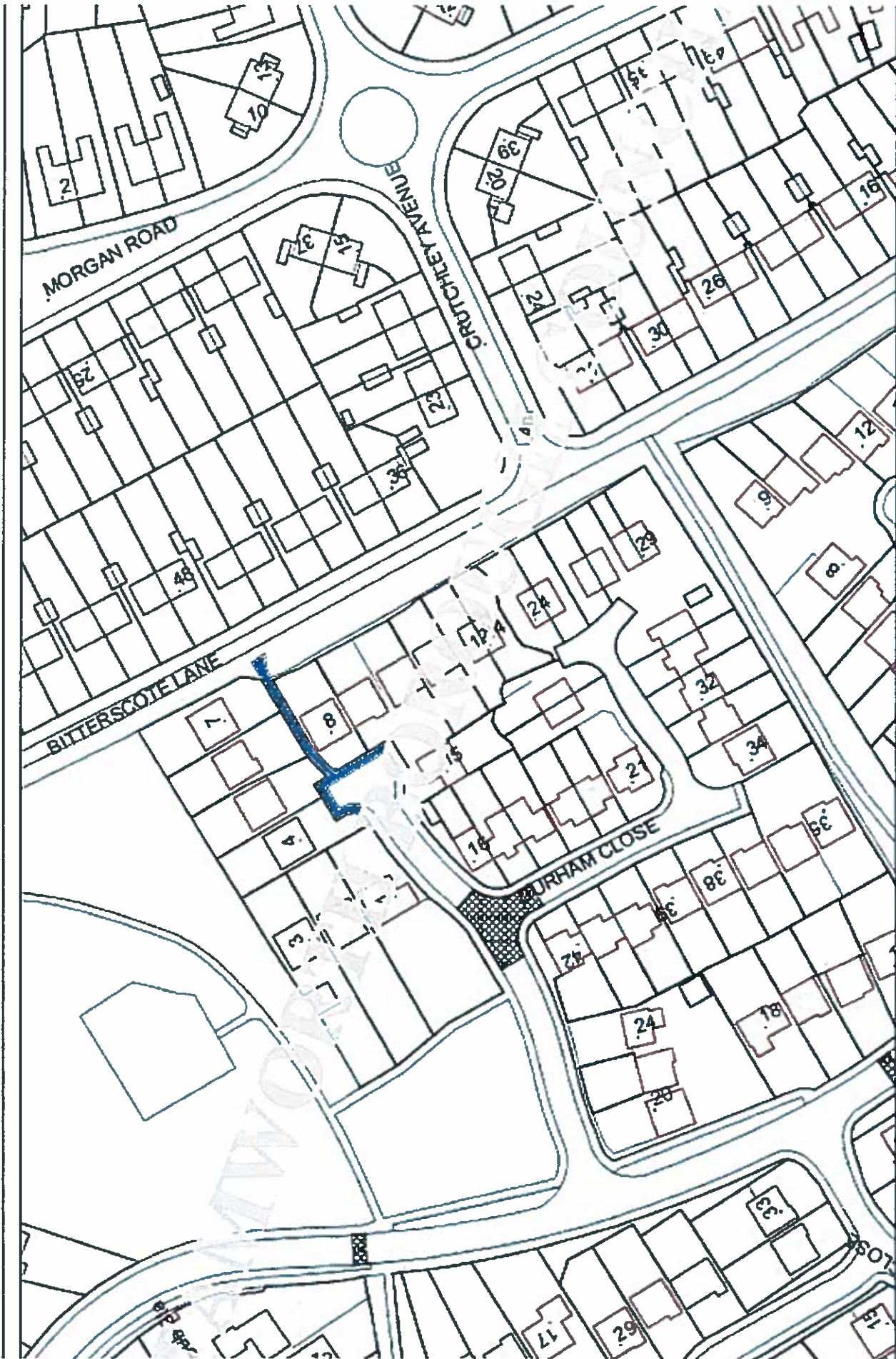


**Footpath rear of Nymet**

Date: 16/08/15 Scale: 1:7

PSRB APPENDIX 1C

This page is intentionally left blank



© Crown Copyright and Database Right  
Ordnance Survey 100015377

**Tamworth**  
Borough Council

Date: 16/09/15 Scale: 1:7

### Durham Close Footpath

PSPO APPENDIX 1 D

This page is intentionally left blank

PSPO Consideration Cabinet 1 October 2015 Appendix 2

			CRITERIA ONE		CRITERIA TWO				
			OR		AND		AND		
Area	ASB Issues	Evidence	Activity have had a detrimental effect on the quality of life of those in the locality	LIKELY that activities carried out will have that effect	Is or likely to be of a persistent or continuing nature	is, or is likely to be such as to make the activities unreasonable	JUSTIFIES the restrictions imposed by the notice	Proposal Accepted or Declined	Duration or outcome
1. All Borough	Mini motos	Police priority: - public endangerment, uninsured drivers Current legislation in place which makes this activity	Y	Y	Y	Y	Y	Deferred for consideration with all activities in public open space	To be included in review
2. Chiltern Road	Parking restrictions - Bank Holiday	Police - 4 calls in the last two years. 21 Impact statements returned via local residents. 19 report concerns of safety, obstruction and issues every Bank Holiday (four occasions per year). 1 reported concerns, but felt that the issue was only transient, 1 reported issues with one vehicle parked regularly No signs or lines that can be enforced	Y - intermittantly	Y - intermittantly	Y - intermittantly	N	N	Declined - referred to Staffs County Council	Monitor
3. Dosthill Park	Cars/gangs/loud music	Police request - regular and ongoing issues with motor vehicle nuisance 5 Impact	Y	Y	Y	Y	Y	Accepted	3 year review
4. Belgrave	ASB Issues	3 impact statement received 3 ASB reports in the last two years	Y		N		N	Declined	Monitor
5. Durham Close	ASB Issues	2 ASB reports in two years Cleansing issues, but not on hotspots Conflicting residents views		Y	Y		N	Declined - further consideration required	Monitor

This page is intentionally left blank



## NOTICE OF PUBLIC SPACE PROTECTION ORDER

Section 59 Anti-Social Behaviour Crime and Policing Act 2014

**THIS NOTICE IS INFORMING YOU OF THE TAMWORTH COMMUNITY SAFETY PARTNERSHIPS' INTENTION TO APPLY A PUBLIC SPACES PROTECTION ORDER ON THE TERMS SET OUT BELOW**

1. Following representations from members of the public and in relation to evidence that has been gathered and reviewed, the Tamworth Community Safety Partnership, will be applying a Public Spaces Protection Order to the area defined below:

**Access Road to Dosthill Hall, Dosthill Park, Blackwood Road, Tamworth, B77 1LJ**

2. The terms and restrictions of the Public Spaces Protection Order are as follows:
  - a. Prohibition of the playing of music emitting from any vehicle or by means of portable amplified device between the hours of 20:00 and 06:00 Monday – Sunday except without the express permission of Tamworth Borough Council
  - b. Prohibition on the congregating and loitering in groups around (or in) one or more vehicles and engaging in behaviour which is likely to cause noise, harassment, alarm or distress between the hours of 20:00 and 08:00 Monday-Sunday
  - c. No barbeques or littering
  - d. No 'doughnutting', racing or other vehicle nuisance
  - e. Prohibition of the drinking of alcohol in the area defined and breach on failure to comply with a request by an authorised officer to cease drinking or surrender alcohol
  - f. Parking of vehicles is permitted at all times by legitimate users of the play facility, Dorcas Centre, private residents and their visitors subject to compliance with conditions at 2b above
3. If any local resident or member of the public is found to be committing the acts that are prohibited above, the following sanctions may be applied:
  - The issue of a £100 Fixed Penalty Notice payable within 28 days and/or
  - Prosecution for breach of an Order and a maximum penalty fine not exceeding level 3 on the standard scale (currently £1,000)
4. It is the intention that this Public Spaces Protection Order will begin on the 1st December 2015
5. The Public Spaces Protection Order will expire on the 30<sup>th</sup> November 2018

We would be glad to seek any further views from local residents with regard to the proposed order which should be received in writing no later than Friday 30<sup>th</sup> October 2015. Please contact *Environmental Management, Tamworth Borough Council, Marmion House, Lichfield Street, Tamworth, B79 7BZ*  
Email [environmentalmanagement@tamworth.gov.uk](mailto:environmentalmanagement@tamworth.gov.uk)



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank