

INFRASTRUCTURE, SAFETY AND GROWTH SCRUTINY COMMITTEE

TUESDAY, 12 OCTOBER 2021

REPORT OF THE ASSISTANT DIRECTOR PARTNERSHIPS

PUBLIC SPACE PROTECTION ORDERS KETTLEBROOK AND BOLEHALL

EXEMPT INFORMATION

None

PURPOSE

To consider extension of Public Space Protection orders in Kettlebrook and Bolehall (Warwickshire Moor)

RECOMMENDATIONS

It is recommended that Scrutiny Committee

1. Approve delegation to the Portfolio Holder, Regulatory and Community Safety for the extension of the Public Space Protection Orders as outlined and attached

EXECUTIVE SUMMARY

Processes for the consideration of Public Space Protection Orders (PSPOs), 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

All PSPOs can be put in place for a maximum of three year with the option to :-

- To extend for a further specified period of time on expiration if the order continues to meets criteria above
- To discharge the existing order as no longer needed

Kettlebrook PSPO

The current order expires on 31st October 2021 and it is proposed that this order is extended for a further 3 years until 31st October 2024.

Without further renewal there will remain no deterrent for the re-occurrence of anti-social behaviour experienced in 2018 in this area which include the exit from the town centre under

the underpasses and into the public park areas around NAMCO, Borrowpit Lake, Peelers Way and Reedmace.

The original order was made at the request of the Tamworth Neighbourhood Policing team as an effective deterrent to the activities reported by the public and the extension to the order is fully endorsed by Chief Inspector Rob Neeson.

The public consultation carried out in 2018 fully supported the order and signage is in place.

To date no penalties have been issued, however Police report the ability to discuss with the public and use signage in place for re-assurance.

Bolehall/Warwickshire Moor PSPO

The current order expires on 31st October 2021 and it is proposed that this order is extended for a further 3 years until 31st October 2024.

Without further renewal there will remain no deterrent for the re-occurrence of anti-social behaviour experienced in 2018 in this area which includes the concerns around the nature reserve in Bolehall and open space to the rear of Rene Road Bolehall to the railway bridge leading to Warwickshire Moor.

The original order was made in conjunction with Tamworth Neighbourhood Policing team as an effective deterrent to the activities reported by the public and the extension to the order is fully endorsed by Chief Inspector Rob Neeson.

Consideration has been given to extension of the order beyond the railway bridge, however, whilst it is acknowledged that there is evidence of gatherings the area is not considered proportionate at this time. The number of calls will continue to be monitored as there are limited contemporaneous reports of ASB which substantial detrimental effect the community.

The public consultation carried out in 2018 fully supported the order as outlined.

To date no penalties have been issued, however Police report the ability to discuss with the public and use signage in place for re-assurance. A further request has also been made for updated signage at Rene Road to further support public concerns.

RESOURCE IMPLICATIONS

The use of Public Open Space Protection Orders requires enforcement resource and can be enforced by Police officers and other Council officers as designated by Tamworth Borough Council.

The Order can be enforced by the Police and Community Wardens (when patrolling)

LEGAL/RISK IMPLICATIONS BACKGROUND

All legal risk are covered by legislation and agreed process

EQUALITIES IMPLICATION

Enforcement is considered with due consideration to Government guidance

SUSTAINABILITY IMPLICATIONS

Use of PSPOs considered on the basis of proportionality and likelihood in line with legislation.

All PSPOs subject to review on expiry

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 was outlined and agreed at Cabinet on 18 June 2015.

If after consideration, areas are to be subject to a PSPO, Cabinet agreed to a statutory 28 day consultation (as outlined under the PSPO Guidelines 2014), the results of which will be discussed at Scrutiny for delegated approval to the Portfolio Holder for implementation

REPORT AUTHOR

Joanne Sands – Assistant Director Partnerships

LIST OF BACKGROUND PAPERS

xxx

APPENDICES

xxx