

WEDNESDAY 18TH JANUARY 2023

REPORT OF THE ASSISTANT DIRECTOR - PARTNERSHIPS

**RENEWAL OF PUBLIC SPACE PROTECTION ORDER ACCESS ROAD TO
DOSTHILL HALL**

EXEMPT INFORMATION

None

PURPOSE

To consider extension of the Public Space Protection Order on the access road to Dosthill Hall and support delegation to the Portfolio Holder for implementation

RECOMMENDATIONS

It is recommended that Scrutiny Committee

1. Approve delegation to the Portfolio Holder, Voluntary Sector, Town Centre, Evening Economy and Community Safety for the extension of the of the Dosthill Park Public Space Protection Order (as attached as Appendix 1)

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 meet criteria above
- To discharge the existing order as no longer needed

Public Space Protection Order (PSPO) Access Road to Dosthill Hall

The authority to undergo public consultation for the above order was approved by Cabinet in December 2019. The original order was made in 2017 following extensive reports to the Police and Council of ongoing ASB in the area.

Following further public consultation in December 2019, implementation of the order was delegated to the Portfolio Holder by Scrutiny for a further period of three years.

The current order(s) expires on 31st January 2023 and signs remain in place.

In consultation with the Tamworth Policing teams and the Tamworth Chief Inspector, has updated that since the introduction of the original PSPO there has been a significant reduction in ASB and calls to the Police at this location. The request is that the order is extended, if possible, for a further 3 years.

It is considered that the PSPO has been a successful deterrent and it would be concerning if there was nothing in place to address individuals who wish to engage in anti-social behaviour.

The PSPO has been an asset and its threat alone has significantly improved the life the residents at this location.

To date no fixed penalties have been issued although Police have moved on and issued warnings. The signage is a deterrent and failure to renew may raise the risk of an increase once more.

Trinity Ward Councillors have been notified and do not have objections the ongoing PSPO at this location.

The updated order is attached as Appendix 1.

In accordance with the The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014, the Council's constitution and process agreed, the Infrastructure, Safety and Growth Scrutiny Committee is invited to consider renewal of this order and approve delegation to the Portfolio Holder for extension. The updated PSPO will continue to be displayed on the Council's website.

OPTIONS CONSIDERED

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

The cessation of the order will remove the power of Police and partners to effectively tackle the anti-social behaviour evidence at the time of issue of the PSPO

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) and will be monitored over the next three years

No further signage is required.

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

To be reviewed as necessary in respect of ongoing ASB.

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

Jo Sands, Assistant Director - Partnerships

LIST OF BACKGROUND PAPERS**APPENDICES**

Appendix 1– Updated PSPO