

## TAMWORTH COMMUNITY SAFETY PARTNERSHIP

### NOTICE OF INTENTION TO APPLY A PUBLIC SPACE PROTECTION ORDER Section 59 Anti-Social Behaviour Crime and Policing Act 2014

- 1) Following representations from members of the public and in relation to evidence that has been gathered and reviewed, the Tamworth Community Safety Partnership (lead agency Tamworth Borough Council), intends to apply a Public Spaces Protection Order on the area defined below:

**ALL PUBLIC HIGHWAYS, CAR PARKS AND ALL OTHER LAND TO WHICH THE PUBLIC HAS ACCESS IN THE BOROUGH OF TAMWORTH**

See map attached

- 2) Under the terms and restrictions of the Public Spaces Protection Order the following is **PROHIBITED**:

- a) Engaging in, promoting, encouraging or assisting in the carrying out of any car cruising\* event in or on public highways, car parks and all other land to which the public has access in the Borough of Tamworth **and is causing or likely to cause**

- Excessive noise
- Danger to other road users (including pedestrians)
- Damage or risk of damage to private property
- Litter
- Any nuisance to another person not participating in the car cruise

*\* A congregation of the drivers of 2 or more motor vehicles (including motor cycles) on the highway or at any place to which the public have access and performs any of the following activities;*

- *Driving at excessive speed*
- *Driving in convoy*
- *Racing other motor vehicles*
- *Sounding horns or playing radios*
- *dropping litter*
- *shouting or swearing at, or abusing, threatening or otherwise intimidating (including by the use of sexual language or making sexual suggestions) another person,*

- b) Congregating or loitering as part of a group around (or in) one or more stationary vehicles at any time where **such activity causes or is likely to cause** noise, harassment, alarm or distress
- c) Engaging in, promoting, encouraging or assisting in activities of 'doughnutting', drifting or other vehicle related nuisance **causing or likely to cause** danger to the public
- d) Causing or permitting excessive amplified music or other noise from vehicles such as to cause or be likely to cause alarm, harassment or distress as a result of a gathering in or around one or more vehicles on any public road or land to which the public has access in Tamworth
- e) Undertaking on-going vehicle repairs or renovation or store unroadworthy vehicles or those declared SORN on publically accessible car parks or highways likely to cause a danger or nuisance to the public except in the course of their own business on their own land or with the express permission of Tamworth Borough Council or relevant landowner

**Persons gathering for social purposes, charitable or other events where the landowner has no objection are permitted at all times subject to compliance with all conditions at paragraph 2 above.**




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- 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 1<sup>st</sup> May 2016 and will expire on 30<sup>th</sup> April 2019
- 5) If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this order is made.

Signed..........

Date.....25/04/2016.....

Councillor S Doyle  
Portfolio Holder for Communities and Public Health

  
Signed

Date 22 April 2016

Andrew Barratt  
Corporate Director (Growth, Assets and Environment)  
Tamworth Borough Council

