

Nicola Hesketh
Project and Information CoOrdinator

Our Ref: FOI4249/NH/02
Please ask for: Nicola Hesketh
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[name redacted]
Manifesto Club

12th December 2016

Dear [name redacted]

Freedom of Information – Request for Information

With regards to your recent enquiry for information held by the Authority under the provisions of the Freedom of Information Act. Please find the information you requested below with reference in the box to your original enquiry for clarity where multiple answers are required.

Details of Your Request

I would like some information about your authority's use of Public Spaces Protection Order (PSPO) and Community Protection Notice (CPN) powers, since October 2015.

Public Spaces Protection Orders (PSPOs)

- 1. Has your local authority brought through any Public Spaces Protection Orders (PSPOs) since October 2015? If so, please give details of the PSPOs (please provide the text of the order(s), and if possible a map of the area affected).*
- 2. Please state the council body or official who enacted the PSPO (eg, was the PSPO passed by a designated council officer, a designated committee, or full council?).*
- 3. How have your council's existing PSPOs been enforced since October 2015? For example, please give the number of on-the-spot fines or prosecutions for violation of any PSPO; or any other available statistics regarding enforcement, for example alcohol confiscations.*
- 4. Are you planning or consulting on a PSPO to bring through in the future? If so, please give details: the text of the order and the planned date of consultation/enactment.*
- 5. Please state the number of council officers with powers to enforce PSPOs (for example, to issue warnings or fines for violations of the PSPO). If possible, please give the position of these officers (eg, street wardens, dog control officers, environmental officers).*

Community Protection Notices (CPNs):

- 1. Please state the number of Community Protection Notices (CPNs) that you have issued in the year between 1 November 2015 - 31 October 2016. Please indicate the subject of these CPNs (eg, messy gardens, feeding the birds, busking, or begging). If possible, please provide the text of these notices.*
- 2. Please state the number of council officers with powers to issue CPNs. Please also state the number of council officers with the power to enforce CPNs (for example, to issue warnings or fines for violations of CPNs). In both cases, if possible, please give the position of these officers (eg, street wardens, dog control officers, environmental officers).*

Of course, please state if your authority does not have the power to enact PSPOs or CPNs.

**** NB: If you are unable to answer any particular section of this FOI (for example, if you do not keep statistics on the number of officers with CPN powers) please simply do not answer that section. Do not reject the whole FOI request on the basis that you cannot answer one section. Many thanks.*

The response to your request as follows:

Public Spaces Protection Orders (PSPOs)

1. Full details found on our website <http://www.tamworth.gov.uk/public-space-protection-orders>
2. Cabinet approve the consultation to consider the implementation of the order and the delegated authority is then given to the Portfolio Holder after consideration of the consultation by the Healthier and Safer Scrutiny Committee
3. Police have undertaken engagement and education in affected areas. 2 FPNs issued.
4. None planned at present
5. Delegation not yet given to Community Wardens

Community Protection Notices (CPNs):

1. 12 CPNs issued - various

Sample text:

1. Stop personally causing a noise nuisance to any person or agency likely to cause harassment, alarm or distress. 2. Stop personally or by instructing, permitting or encouraging others to cause a noise nuisance to any person or agency likely to cause harassment, alarm or distress. 3. Stop instructing, permitting or encouraging others to smoke any substance causing an offensive odour to any person. 4. Stop personally or by instructing, permitting or encouraging others to bang on doors, walls and windows causing harassment, alarm and/or distress. 5. Stop personally or by instructing, permitting or encouraging others to cause any damage to property belonging to Tamworth Borough Council or any resident or agency. 6. Positively engage with your landlord and other agencies working with you in order to sustain your tenancy.

Arrange for removal of skip and all rubbish from all gardens.....Keep all gardens free of dog mess....Ensure refuse bins are put out for collection at the correct times and ensure waste is not cross contaminated....Maintain garden to the standards specified in the conditions of the tenancy agreement

1. Stop personally causing or permitting visitors and or residents at XX to behave in a manner likely to cause noise or other nuisance, alarm or distress to other residents or visitors in the borough of Tamworth. 2. Stop personally using or allowing threatening and/or abusive language by any means verbal, electronic or written to neighbours or other persons in the borough of Tamworth and any other members of the public, police or service providers. 3. Keep gardens free from all rubbish except that which is reasonable within the requirements of normal domestic bin collections. 4. Ensure that household members and all visitors access the property correctly and refrain from climbing over walls and fences. 5. Repair or report any outstanding damage to the property.

1. To attend One Recovery alcohol dependency service on a continual basis as prescribed by the service. 2. To continue to fully engage with social services and all partner agencies to ensure appropriate consistent behaviour is maintained. 3. Comply with requirements to refrain from any intoxicants (including alcohol) personally at your property or allow visitors to your property to drink alcohol or use other intoxicating substances. 4. Stop causing nuisance, annoyance or alarm by your own behaviour or allowing visitors to your property to act in a manner which may cause nuisance or alarm to neighbours from within your property or within the immediate vicinity of your property. 5. Stop using threatening, harassing, unreasonable and abusive language or threats by whatever means verbal, electronic or written likely to cause nuisance, alarm and distress to any members of the public, family members, friends or public officials. 6. Stop using unwanted physical contact, physical and verbal aggression to any members of the public, family members and friends likely to cause intimidation and harassment. 7. Refrain from placing yourself in any situation likely to cause endangerment to members of the public, family or public officials. 8. Ensure maintenance of your property to the standards outlined in your tenancy conditions and allow access as required by your Landlord, Tamworth Borough Council.

1. Failing to adequately maintain the garden at XXX causing plants, shrubs and trees to damage fencing and endanger adjoining properties and is detrimental to the local amenity

Causing personally or permitting visitors to XXX to cause regular music and/or other noise nuisance. Causing personally or permitting visitors to XX to behave in a manner causing or likely to cause nuisance, alarm or distress to other residents. Causing or permitting visitors to XXX to park in a manner causing obstruction and nuisance to neighbours and other residents

Using threatening behaviour towards others. Verbally abusing others. Actions that are causing alarm, harassment or distress to others. 4. Trespassing on other persons property without permission 5. Throwing Items at residential properties

Using threatening and abusive language by whatever means verbal, electronic or written likely to cause nuisance, alarm and distress to any members of the public, family members, friends or public officials 2. Acting in a manner towards any child under 16 by whatever means verbal, electronic, expression or otherwise which is likely to cause harassment or intimidation anywhere in Tamworth 3. Acting in a manner causing noise, alarm, nuisance and distress specifically to the residents of XXX, Tamworth 4. Using unwanted physical contact, physical and verbal aggression to any members of the public, family members and friends likely to cause intimidation and harassment 5. Acting in a manner which may be considered sexually or physically inappropriate in any publically accessible place or residence in Tamworth likely to cause harm, alarm, nuisance and distress to any child or adult 6. Staying overnight at XXX and failing to leave on request, contrary to the permissions of XXX causing alarm, harassment and distress to the residents and visitor of XX

Stop causing personally or permitting visitors to XXX to cause regular music and or other noise nuisance Stop personally or permitting excessive smoking of any substances likely to cause odour nuisance to other residents or visitors to XXXX Stop personally or permitting visitors to 24 Lady Meadow to bang on doors, wall and windows causing alarm and nuisance to neighbours. Stop personally or permitting visitors to XXXX to behave in the communal areas in a manner causing or likely to cause nuisance alarm or distress to other residents or visitors. Stop personally using or allowing threatening and abusive language by any means verbal, electronic or written to neighbours or other persons in the vicinity of XXX

- 2. 2 officers can sign off CPNs for issues by Housing officers and Environmental officers and sign off for enforcement – Director Assets, Growth and Environment and Head of Community Safety**

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Details of Tamworth Borough Council's internal review and complaints procedure are attached, in accordance with the provisions of the Act.

Yours Sincerely

Nicola Hesketh
Project and Information Coordinator