



GREAT YARMOUTH
BOROUGH COUNCIL

Housing and Neighbourhoods Committee

Date: Thursday, 27 October 2016

Time: 18:30

Venue: Supper Room

Address: Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

AGENDA

Open to Public and Press

1 APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2 DECLARATIONS OF INTEREST

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

3 MINUTES 4 - 11

To confirm the minutes of the meeting held on 15 September 2016.

4 MATTERS ARISING

To consider any matters arising from the above minutes.

5 FORWARD PLAN 12 - 12

The Committee to note the Forward Plan

6 HOUSING & NEIGHBOURHOODS PERFORMANCE REPORT 13 - 18
QUARTER 2 2016/17

Report attached.

7 CAR ENTHUSIASTS PROGRESS REPORT 19 - 29

Report attached.

8 WELLESLEY RECREATION GROUND 30 - 32

Report attached.

9 ANY OTHER BUSINESS

To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.

10 EXCLUSION OF PUBLIC

In the event of the Committee wishing to exclude the public from the

meeting, the following resolution will be moved:-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act."

Housing and Neighbourhoods Committee

Minutes

Thursday, 15 September 2016 at 18:30

PRESENT:-

Councillor Carpenter (in the Chair); Councillors Borg, Grant, K Grey, Mavroudis, Robinson-Payne, Walch, Waters-Bunn & Williamson.

Councillor Annison attended as a substitute for Councillor Hacon.

Councillor Bensly attended as a substitute for Councillor M Coleman.

Councillor Smith attended as a substitute for Councillor Flaxman-Taylor.

Councillor Jeal attended as an observer.

Mr R Read (Director of Housing & Neighbourhoods), Mr T Chaplin (Group Manager Housing Services), Mrs V George (Group Manager Housing Health & Well-being), Mr R Gregory (Group Manager Neighbourhoods & Communities) and Mr P Shucksmith (Senior Environmental Ranger).

Mr G Hollingdale (Managing Director - GYN), Mr S Baker (Property Services Manager - GYN) & Mr R Oliver (Asset Manager - GYN).

1 APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors M Coleman, Flaxman-Taylor & Hacon.

2 DECLARATIONS OF INTEREST

Councillors K Grey & Smith declared a personal interest in agenda item 15, but in accordance with the Council's Constitution were allowed to speak and vote on the matter.

3 MINUTES

The minutes of the meeting held on 28 July 2016 were confirmed.

4 FORWARD PLAN

The Committee received and considered the Forward Plan.

RESOLVED:

That the Committee note the Forward Plan.

5 PRESENTATION BY GY NORSE ON HOUSING ASSET MANAGEMENT

Mr Oliver, Assets Manager, GY NORSE, gave a presentation to the Committee on Housing Asset Management.

The Chairman thanked Mr Oliver for his informative presentation.

6 GYBC SOCIAL HOUSING TENANCY FRAUD POLICY

The Group Manager Housing Services reported that the Council had recognised procedures for investigating social housing tenancy fraud but did not have a published policy. The draft policy presented to the Committee for consideration brought together current practice and provided a clear message to tenants, residents and staff, of the Council's approach to tenancy fraud.

A Member asked if Community Housing had a dedicated Housing Fraud Officer as fraud was riddled with technicalities and officers needed to be trained correctly to deal with cases of fraud with tact and sensitivity. The Group Manager Tenancy Services reported that most cases of housing fraud were investigated by Estate Manager's and all housing staff were trained to operate with tact and sensitivity at all times.

RESOLVED:

That the Housing & Neighbourhoods Committee approve the Social Housing Tenancy Fraud Policy.

7 HRA BUDGET MONITORING REPORT PERIOD 4 2016-17

The Director of Housing & Neighbourhoods reported that the majority of the HRA revenue income and expenditure budgets were on track with the budget, with only changes to the repairs and maintenance budget and revenue funding for capital works. The forecast deficit for the year had increased to £1.4m from an original £1.1m. The deficit would be financed from the HRA revenue reserves. The capital budget had increased by £759k, which was good news, as this would result in higher volumes of delivery.

The Director of Housing & Neighbourhoods reported that it was planned to introduce a solid 5 year Capital Programme.

A Member requested that the loss of parking spaces for tenants and residents on Daphne Way which resulted from the Council disposing of the Shrublands Community Centre and associated car park without any consultation with Ward Members needed to be addressed, as lack of parking was a real issue for the residents. The Director of Housing & Neighbourhoods reported that it could be considered for inclusion in the Capital Programme.

RESOLVED:

(i) That the Committee note the 2016/17 Housing Revenue Budget Monitoring Position,

(ii) That the Committee agree an increase to the existing 2016/17 HRA Capital Programme, as detailed in Table 5 of the report,

(iii) That the Committee agree a virement from HRA reserves to revenue contribution to capital, as detailed in Table 3 of the report, subject to approval from the GYBC Section 151 Officer; and

(iv) That the Committee agree a virement from HRA reserves repairs & maintenance budget to the HRA Capital Programme, as detailed in Table 5 of the report, subject to approval from the GYBC Section 151 Officer.

8 CAR ENTHUSIASTS - GREAT YARMOUTH SEAFRONT

The Group Manager Neighbourhoods & Communities reported on the current and ongoing issues around the escalation of unauthorised car and motorbike enthusiast events on Great Yarmouth seafront and proposed multi-agency response, including the implementation of a Public Space Protection Order (PSPO) by the Council.

The Group Manager Neighbourhoods & Communities reported that several projects and operations had been attempted in the past to deal with this issue and had had varying levels of success. In late 2015, complaints had fallen to the lowest ever, due to a decrease in numbers of enthusiasts on the seafront. However, in 2016 there had been an escalation in the size of these events, unlike anything that had been witnessed for a number of years.

The Group Manager Neighbourhoods & Communities reported that existing powers and byelaws/legal orders available to agencies did not allow enforcement of all the issues in the affected area and along the remainder of the seafront. The proposed area for the PSPO would cover the entire length of Great Yarmouth Seafront from the Seashore Holiday Park in the north to the entrance to the Port in the south together with anticipated displacement routes within the immediate vicinity.

The Group Manager Neighbourhoods & Communities reported that the introduction of a PSPO presented an opportunity to tackle the anti-social behaviour associated with unofficial vehicle events. This would not prevent organised tourism events from happening on the seafront. Enforcement of the PSPO would be at the discretion of the Council. A further Traffic Regulation Order around parking times would help to assist the Council in enforcing issues relating to parked vehicles causing a nuisance for residents and local businesses.

The Group Manager Neighbourhoods & Communities reported that the establishment of a PSPO would have immediate financial implications for the Council. The Council would have an obligation to provide appropriate signage within the designated area of a PSPO. The cost would be approximately £5k to £7k. If the Council decided to delegate powers to enforce a PSPO to Civil Enforcement Officers or Environmental Services Officers this would incur overtime staffing levels on a Sunday evening. There would also be a requirement for additional staff time to prepare paperwork should cases progress to court.

The Group Manager Neighbourhoods & Communities reported that an establishment of a further Traffic Regulation Order (TRO) to address parking issues would cost approximately £5k. Norfolk County Council were exploring how they might be able to resource this work. A TRO would take approximately 8 to 9 months to implement.

The Group Manager Neighbourhoods & Communities reported that a consultation had been launched on 24 August and would run until 21 September 2016. To date, 92 responses had been received.

A Member requested that the proposed area for the PSPO be extended to include Jellicoe Road/Fremantle Road/North Denes Bridge as the car enthusiasts used these roads as a warm up track. A Member requested that the PSPO include no defecating or urinating. The Group Manager Housing & Communities agreed to include these requests in the consultation.

The Group Manager Neighbourhoods & Communities reported that he would bring the consultation findings and a further report on the implementation of the PSPO to the next Committee meeting in October.

RESOLVED:

(i) That the Committee note the report,

(ii) That the Committee approve additional set-up costs for signage associated with the implementation of a Vehicle-Related Public Space Protection Order and approve up to £7,000 for associated signage,

(iii) The Committee note the implications relating to resourcing the enforcement of a Vehicle-Related Public Space Protection Order and the implications relating to enforcement of the current Traffic Regulation Order; and

(iv) The Committee note the Norfolk County Council position with the regard to the implementation of further Traffic Regulation Orders.

9 VOLUNTARY AND COMMUNITY SECTOR SUPPORT SERVICES - COMMISSIONING PROCESS

Councillor Jeal declared a Disclosable Pecuniary Interest in this item and left the room whilst the matter was dealt with.

The Group Manager Housing & Communities reported that for more than ten years the Council had provided financial assistance in the form of core grants to a range of Voluntary and Community Sector (VCS) organisations to contribute to the delivery of their support services. Annual grants were awarded to the same organisations for several years without the need to re-apply, without definite criteria linked to the Council's corporate priorities and with limited monitoring and performance management.

The Group Manager Housing & Communities reported that Internal Audit had examined grant processes during July/August 2015 and had recommended a review and re-commissioning be undertaken. The review recommended :

- Establishment of a clear, open process for commissioning (replacing the current closed group of annual grant recipients)
- Establishment of a Grants Allocation Panel or a Strategic Commissioning Panel, to approve all funding applications based on clear and agreed eligibility criteria, explicitly linked to the current Council's corporate priorities;
- The initiation of Service Level Agreements with successful applicants for

longer periods (up to three years) with claw back conditions.

The Group Manager Housing & Communities reported that a one year extension (2016-17) to existing funding arrangements with grant recipients was proposed by Councillors, and agreed at Full Council in November 2015. Applicants would be able to apply for one or more of the lots, individually or in partnership, from a total budget of £50,000.

The Group Manager Housing & Communities reported that a "Grants Page" had been set up on the Council's website outlining application procedures, procurement cycles and timelines, assessment criteria and delivery specifications. on-going work would continue in order to develop partnerships with VCS organisations in the Borough to better support local residents. This includes working to build stronger communities, increasing capacity at the neighbourhood level and reducing demand across frontline services. There were no financial implications beyond the budgeted annual £50,000 to support voluntary sector organisations from 2017 onwards.

The Group Manager Housing & Communities reported that the refreshed approach to resourcing the VCS to deliver services in line with corporate priorities would allow the Council to have an improved strategic approach to working with the voluntary sector, ensuring the process was open, accessible and transparent. The new model complemented existing delivery and would allow for collaborative forward planning regarding support services and changing needs within communities. The outcomes from the first year of delivery would be presented to the relevant Council committee.

A Member queried why the funding pot for this year had been reduced. The Group Manager Housing & Communities reported that the funding pot was still largely the same, for the award of commissioning grants, discretionary rate relief and the Centre 81 grant (which had been rolled into one amount).

A Member asked for clarification as to whether this new funding arrangement would encompass new charities and enable them to apply for funding from the Council. The Group Manager Housing & Communities reported that this would be an open and transparent process which would be fair to all charities both new and old.

RESOLVED:

- (i) That the Committee note the report and approve the commissioning process; and
- (ii) That the Committee nominate Councillors Carpenter, Robinson-Payne & Walch as a sub-group to ratify decisions.

10 NEIGHBOURHOODS THAT WORK - STUDY VISIT 2016

The Group Manager Housing & Communities briefed the Committee on the forthcoming study visit for the Neighbourhoods that Work programme. The

Study Visit would provide a key opportunity to promote and share the developments and outcomes of the high profile Neighbourhoods that Work (NTW) programme in Great Yarmouth. It also provided a significant opportunity to explore and progress place based leadership for the Borough. The outcomes from the first complete year of NTW delivery would also be presented to the relevant Council committee.

The Chairman congratulated the team on their successful delivery of the NTW programme to date.

RESOLVED:

That the Committee note the report.

11 OVERVIEW OF PSPO'S - DOG FOULING

The Senior Environmental Ranger reported that it was intended to have an overarching Boroughwide Dog Fouling Public Space Protection Order (PSPO) which would cover all land which could be designated. In addition, a Boroughwide Dog on Lead Request Public Space protection Order had been proposed, allowing officers to deal with accompanied dogs causing nuisance across the Borough. There were more site specific proposals for PSPO's relating to dog bans or lead requirements to be placed on fenced play areas, the main tourist beaches and adjoining promenade and cemeteries.

A Parish Council consultation had been undertaken and the Council had received a number of other suggestions and proposals from members of the public and private land owners. The next step would be an Internal Consultation to seek Member's and departmental views on any orders that might be required in addition to those proposed. Once these had been collated, a final draft report would be presented to the Environmental Committee together with a proposed Public Consultation which will be required to be undertaken.

The Senior Environmental Ranger reported that once the consultation process had taken place, consideration would be given to each suggestion and the proposals would then be finalised. They would then be presented for a decision as to whether the Council wished to proceed with the Orders. These would also need to be considered and agreed by the Police.

A Member proposed that the PSPO should include that dogs must be put on a lead when games were taking place on all playing fields in the Borough. The Chairman seconded this proposal.

RESOLVED:

That the Public Space Protection Order to include the proviso that dogs must be put on a lead when games were in progress on all playing fields in the Borough.

12 BETTER CARE

The Group Manager Housing Health & Wellbeing reported the next steps in making the Better Care Fund Locality Plan operational.

The Group Manager Housing Health & Wellbeing reported on the recruitment process required to engage two officers who would be crucial to the delivery of the plan and achieving the capital spend.

The Group Manager Housing Health & Wellbeing reported a proposed new fee structure which would be applied to this project and the works undertaken by the Safe at Home, Home Improvement Agency.

RESOLVED:

(i) That the Committee approve recruitment to the two new posts; and

(ii) That the Committee recommend to Full Council that they approve the schedule of fees for both Better Care Fund and Disabled Facilities Grant elements of work.

13 ANY OTHER BUSINESS

(i) Sport, Play & Leisure Strategy

The Chairman reported that the Council's Sports Strategy now came under the remit of the Committee.

The Director of Housing & Neighbourhoods reported that he would forward a copy of the summary document of the Sport, Play & Leisure Strategy to all Committee members.

14 EXCLUSION OF PUBLIC

The Committee moved the following resolution:

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12(A) of the said Act.

15 FOOTBALL CLUBS AND FACILITIES

(Confidential Minute on this Item)

The meeting ended at: 20:30

Forward Plan for Housing & Neighbourhoods Committee

	Matter for Decision	Report by	Pre Agenda Meeting (PAM)	Housing & Neighbourhoods	Policy & Resources	Council
1	Car Enthusiasts Progress Report	Director of Housing and Neighbourhoods	19/10/2016 11/01/2017	27/10/2016 19/01/2017		
2	Performance Data - Q2	Group Manager (Housing Services)	19/10/16	27/10/16	29/11/16	
3	Wellesley Recreation Ground	Director of Housing and Neighbourhoods	19/10/16	27/10/16		
4	Housing Revenue Account 2017/18 Budget & Capital Programme	Director of Housing & Neighbourhoods	30/11/16	08/12/16		
5	Housing Strategy - Demand/PRS	Group Manager (Housing Services)	30/11/16	08/12/16		
6	Neighbourhood That Work - 12 months outcomes data	Community Development Manager	30/11/16	08/12/16		
7	Housing Revenue Account Draft 2017/18 Budget & Capital Programme Approval	Director of Housing & Neighbourhoods	11/01/17	19/01/17		21/02/17
8	Housing Strategy - Homelessness	Group Manager (Housing Services)	11/01/17	19/01/17		
9	Sports, Play & Leisure Strategy	Director of Housing & Neighbourhoods	11/01/17	19/01/17		
10	Performance Data - Q3	Group Manager (Housing Services)	22/02/17	02/03/17	21/03/17	
11	Housing Strategy	Group Manager (Housing Services)	05/04/17	13/04/17		
12	ASB Policy	Group Manager (Neighbourhoods & Communities)	TBC	TBC		
13	Review of Council's Enforcement Powers	Director of Housing & Neighbourhoods	TBC	TBC		

Subject: HOUSING & NEIGHBOURHOODS PERFORMANCE REPORT
Quarter 2 2016/17

Report to: Housing & Neighbourhoods Committee 27.10.2016

Report by: Trevor Chaplin, Group Manager Housing Services

SUBJECT MATTER/RECOMMENDATIONS

This report provides performance data from the Housing & Neighbourhoods Directorate for Quarter 2 of 2016/17

1. INTRODUCTION/BACKGROUND

- 1.1 A report on key performance indicators (KPI's) will be provided to the Housing & Neighbourhoods Committee each quarter.

2. PERFORMANCE

- 2.1 Specific areas for the committee to note include

- 2.1.1 Rent Income Collection – The roll out of full service Universal Credit has affected around 400 GYCH tenants. These 400 tenants are in combined rent arrears of around £82,000.

- 2.1.2 Households in Temporary Accommodation - The number of households in temporary accommodation is subject to seasonal fluctuations and is typically higher at the end of the summer. The year on year figure demonstrates a large reduction.

3. FINANCIAL IMPLICATIONS

None

4. RISK IMPLICATIONS

None

5. CONCLUSIONS

None

6. RECOMMENDATIONS

That the Housing & Neighbourhoods Committee note this report.

7. BACKGROUND PAPERS

Performance data attached.

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	N/A
Section 151 Officer Consultation:	N/A
Existing Council Policies:	N/A
Financial Implications:	N/A
Legal Implications (including human rights):	N/A
Risk Implications:	N/A
Equality Issues/EQIA assessment:	N/A
Crime & Disorder:	N/A
Every Child Matters:	N/A



PERFORMANCE INDICATORS – SUMMARY REPORT QUARTER 2 (Jul - Sep) 2016/17

HOUSING AND NEIGHBOURHOODS COMMITTEE

Measure	Previous Quarter	This Quarter	Target	Qtr 2 2015/16	Status	Trend	
						Last Period	Last Year
HN01 - Net cost of B&B (Quarterly Cumulative)	£4,979	£15,965	NA	New indicator		N/A	N/A
HN02 - Number of households in temporary accommodation (Quarterly Snapshot at last day of month)	52	56	50	73		↓	↑
HN03 - Number of a) Homeless acceptances b) Homeless preventions (Quarterly)	31 21	21 18	NA NA	19 24		N/A N/A	N/A N/A
HN04 - Great Yarmouth Community Housing rent: GYCH rent collection rate a) % of rent & arrears collected b) Arrears as a % of rent debit c) Total rent arrears (Quarterly Cumulative)	95.52% 1.2% £281,668	97.88% 1.36% £319,319	95% 1.4% £333,000	98.23% 1.25% £325,620		↑	↑
HN05 - Number of a) Social housing applicants in allocation pool b) Social housing new applicants awaiting assessment (Quarterly Snapshot at last day of month)	257 400	249 408	250 400	284 467		↑ ↓	↑ ↑
HN06 - Average Time to Re-let Local Authority Housing (Quarterly Cumulative)	45 days	45 days	48 days	41 days		↔	↓
HN07 - Time taken for Housing Options to match property (Quarterly Cumulative)	13 days	17 days	20 days	11 days		↓	↓
HN08 - Number of complaints of ASB received (includes flytipping; dog fouling; noise; smoke and accumulations) (Quarterly Cumulative)	1,979	4,649	NA	New indicator		N/A	N/A

Measure	Previous Quarter	This Quarter	Target	Qtr 2 2015/16	Status	Trend	
						Last Period	Last Year
HN09 - Number of DFGs a) Recommendations received b) Approvals c) Completed (Quarterly Cumulative)	38 32 21	77 58 51	NA NA NA	N/A N/A N/A		N/A N/A N/A	N/A N/A N/A
HN10 - Number of Handyperson jobs completed (Quarterly Cumulative)	137	259	NA	307		N/A	N/A
HN11 - Number of alarm calls received at Control Centre Wherry Way (Quarterly)	12,492	13,012	NA	New indicator		N/A	N/A
HN12 - Number of out of hours call received at Control Centre Wherry Way (Quarterly)	1,305	1,238	NA	New indicator		N/A	N/A
HN13 - Wherry Way Control Centre call handling: a) Alarm Calls answered within 30 seconds b) Alarm Calls answered within 60 seconds (Quarterly Cumulative)	85.37% 94.32%	85.73% 94.39%	80% 98%	New indicator		↑	N/A N/A
						↑	
HN14 - Number of Yare Care Alarm a) Referrals b) Installations c) Removals (Quarterly Cumulative)	86 86 74	155 155 131	NA NA NA	New indicator		N/A N/A N/A	N/A N/A N/A
HN15 - Employment: a) Number of long term unemployed residents supported to improve their skills. b) People moving into sustainable employment. (Quarterly Cumulative)	Data currently reported 6 monthly*	Data currently reported 6 monthly*	150	New indicator		N/A	N/A
			30			N/A	N/A

Measure	Previous Quarter	This Quarter	Target	Qtr 2 2015/16	Status	Trend	
						Last Period	Last Year
HN16 - Neighbourhoods That Work programme							
a) Number of new self-help groups formed.	34*	41	25	New indicator		N/A	N/A
b) Number of residents entering sustained employment.	55*	31	45			N/A	N/A
c) Number of residents with complex needs receiving adequate support to address their needs (Quarterly Cumulative)	59*	60	30			N/A	N/A
Note: * Because the reporting cycle for the Big Lottery is six-monthly, the first six months ran from October 2015 to March 2016 (so the figures shown are for that period) and the next reporting stage will be the end of September this year.							
Measures that are not achieving Target:							
HN02 - Number of households in temporary accommodation - The number of households in temporary accommodation is subject to seasonal fluctuations and is typically higher at the end of the summer. The year on year figure demonstrates a large reduction.							
Measures where no target set and moving in the wrong direction:							

Key	
Status	
G	Current performance has met or exceeded target
A	Current performance is below target but within tolerance
R	Current performance is below target and tolerance
Trend	
	Performance for quarter is improving (up) or deteriorating (down) compared to previous quarter.
	Performance for period (quarter) is improving (up) or deteriorating (down) compared to same quarter last year.

Key:

NA = No target set, contextual information only

N/A = Not available/not applicable

Subject: Car Enthusiasts - Great Yarmouth Seafront

Report to: Housing and Neighbourhoods Committee 27th October 2016

Report by: Group Manager – Neighbourhoods & Communities

SUBJECT MATTER/RECOMMENDATIONS

To give an update on the proposed multi-agency response to issue of car and motorbike enthusiasts causing anti-social behaviour along Great Yarmouth Seafront.

1. INTRODUCTION/BACKGROUND

- 1.1 This report is an update on the issues and work detailed in the report to the Housing and Neighbourhoods Committee in September 2016 around the issues associated with car and motor bike enthusiasts on Great Yarmouth Seafront and provides a summary of the consultation undertaken to introduce a vehicle-related PSPO .
- 1.2 Vehicle rallies continue to be advertised and organised via social media however numbers of vehicles on Great Yarmouth Seafront are decreasing as the summer ends but it is expected that the 'events' will restart on a regular basis from Easter 2017.
- 1.3 The Council continues to work closely with the Police and Norfolk County Council Highways to tackle the issues and progress long-term solutions.

2. CURRENT ISSUES

- 2.1 The Police have reported that the events are getting quieter and plan to reduce their presence on Great Yarmouth Seafront over the next month. They will continue to monitor facebook and other social media to identify potential meetings so they can provide a policing presence to deter future events.
- 2.2 There are concerns that the problems will re-occur from Easter 2017 and into next summer and a desire for the council and partners to be fully prepared for this.
- 2.3 The new Traffic Regulation Order is now in place and enforceable relating to the slow lane on Marine Parade, but due to working patterns of Civil

Enforcement Officers there is no enforcement beyond 4:30pm on a Sunday, when the majority of infringements occur.

3. PROGRESS ON THE CREATION OF A PUBLIC SPACE PROTECTION ORDER

3.1 Public Spaces Protection Order (PSPO)

A public consultation based on anti-social behaviour associated with vehicles was held for 4 weeks, closing on 21 September. It was made available online and via hard copy.

3.2 300 questionnaires were hand delivered to properties on South Beach Parade, Harbord Crescent, North Drive and the roads immediately behind North Drive.

3.3 149 responses were received, including a response from the Police. 136 respondees supported the creation of the Order.

3.4 A short breakdown of the responses received and a copy of the draft Order can be found in Appendix 1.

3.5 The multi-agency task group who have been meeting to tackle these issues met on 3rd October to review the consultation responses with advice from NP Law.

3.6 A number of comments related to the council's ability to enforce a proposed order. This has been recognised by the council and was identified at the last Housing and Neighbourhoods Committee. A separate piece of work is being undertaken by the Enforcement Board around developing the council's enforcement capacity and this should be considered in relation to the implementation of the PSPO.

3.6 A number of comments were received about extending the designated area. NP Law's advice suggested that this would result in starting another consultation process with residents/stakeholders within an extended area. The designated area would need to demonstrate sufficient evidence of the types of anti-social behaviour associated with this proposed PSPO. Existing powers should be called upon to look at isolated areas of speeding/rat runs by general road users. It was clear that the majority of reported ASB incidents have occurred within the designated zone. Should related ASB extend outside of this area then further consultation work will be undertaken to extend the zone.

5. FINANCIAL IMPLICATIONS

- 5.1 The Housing and Neighbourhoods committee has already approved the costs relating to the installation of signs to enable the PSPO to go live.
- 5.2 Further costs in relation to enforcement capacity will also need to be built in to council budgets enable the PSPO to be fully implemented.
- 5.3 Norfolk County Council is currently exploring the costs of a further TRO to tackle parking times within the designated area.

6. RISK IMPLICATIONS

- 6.1 As stated in the September report on this issue there are a number of risks for the council relating to the issues relating to seafront car enthusiasts. There is a clear risk to the safety of the public should these unauthorised events continue and further incidents occur.
- 6.2 Whilst it is clear that there is multi-agency responsibility for the range of issues presented by car enthusiasts on a reputational level the council is seen as the place-leader for the borough as noted by the number of complaints the council has received to date.
- 6.3 The implementation of a PSPO and TRO will also carry risk implications for the council should they not be executed correctly. Central to this will be ensuring the staff that enforce the PSPO and TRO have the appropriate training, resources and support. There are a number of issues relating to safety that have been raised by relevant service areas in relation to this.
- 6.4 All of the above risks will need to be considered and mitigated against before a PSPO and new TRO comes into effect. This is currently being explored through the council's Enforcement Board.

7. CONCLUSIONS

- 7.1 The consultation results will enable the council to progress the creation of a PSPO. An implementation plan will now be undertaken to ensure that this will be enforceable by Easter 2017. Success will be dependent on having staff in place and adequately trained to carry out adequate enforcement in the evenings and on weekends working alongside the Police.

8. RECOMMENDATIONS

8.1 The Housing and Neighbourhoods Committee is asked to note the content of the report and the progress of developing a PSPO and:

- a) Note the results of the consultation in relation to the PSPO.
- b) Receive a further report to approve the creation of the PSPO in conjunction with the work currently being undertaken by the Enforcement Board.

Area for consideration	Comment
Monitoring Officer Consultation:	
Section 151 Officer Consultation:	
Existing Council Policies:	
Financial Implications:	Costs relating to implementation of a PSPO.
Legal Implications (including human rights):	To ensure that the PSPO is drafted correctly under ASB legislation.
Risk Implications:	Considered in the report.
Equality Issues/EQIA assessment:	Equality issues considered as part of the creation of a PSPO and TRO.
Crime & Disorder:	Relates to the conventions of the ASB, Crime and Policing Act 2014 and the Council's obligations under the Crime and Disorder Act 1988.
Every Child Matters:	Not applicable.

Appendix 1
Car Enthusiasts – Great Yarmouth Seafront
Report to Housing and Neighbourhoods – October 2016

Results of PSPO No 2 Consultation – Vehicle-Related Anti-Social Behaviour

149 responses in total

82 received as hard copy responses as a result of direct mail drop to properties in proposed zone

66 online responses via Survey Monkey questionnaire

Questions asked on the consultation and the results:

Question 1: Are you:

A resident of the Borough of Great Yarmouth	138
A visitor to Great Yarmouth	6
A business owner in the Borough of Great Yarmouth	4
Answering on behalf of an organisation	1

Question 2: Please give your postcode:

87 of the respondents live in the proposed zone

20 live in the streets just outside the proposed zone

41 live in other parts of the district or other areas (Ipswich / Peterborough)

Question 3: Have you seen vehicle-related anti-social behaviour on or near Great Yarmouth Seafront in the last 12 months?

128 said yes

18 said no

5 left the answer blank

Question 4: Finally do you support the creation of the Public Spaces Protection Order?

136 said Yes

13 said No

Responses included

- requests from residents on Freemantle Road / Jellicoe Road to extend the proposed area to include the whole of Freemantle and Jellicoe Roads due to the problems of speeding and noisy vehicles in that area.
- Concern over who is going to enforce / effectiveness of Order if enforcement is not consistent and visible.
- Requests for speed bumps and cameras along the whole zone.
- Lots of support for trying something new in the area to tackle a long-standing issue.
- Residents appreciated that it extended along the whole seafront rather than just in a small area.
- One or two comments about trying to allow the drivers somewhere else to do their stunts and racing.

Appendix 2

GREAT YARMOUTH BOROUGH COUNCIL

PUBLIC SPACES PROTECTION ORDER No. 2 OF 2016

GREAT YARMOUTH SEAFRONT – VEHICLE RELATED ANTI-SOCIAL BEHAVIOUR

Version updated after partnership meeting 3 Oct 2016 – different to consultation copy

1. This Order may be cited as the Great Yarmouth Borough Council Public Spaces Protection Order No. 2 of 2016.
2. The Great Yarmouth Borough Council (the “Council”) makes this Order under its powers contained in s59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”), being satisfied on reasonable grounds that the activities set out in paragraph 5 in the location described in paragraph 4 of this Order and marked on the plan contained in the schedule to this Order have had or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried out within that area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all the circumstances expedient to make this Order for the purpose of reducing anti-social behaviour in a public place.
3. This Order comes into force at midnight on _____ for a period of up to three years thereafter, unless extended by further order under the Council’s statutory powers.
4. This Order applies to any public place in that part of Great Yarmouth sea front shown outlined in red on the plan contained in the schedule of this Order (“the restricted area”). A public place is any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of

express or implied permission. This includes but is not limited to: car parks, sports fields and playing fields and their attached facilities, parks and recreation grounds, public highways including footway and verge, market places, esplanades, public open space land and communal open space owned by the council or other landowner.

5. Subject to paragraph 6 below any person is prohibited from personally carrying out or assisting or encouraging any other person to carry out any of the behaviours specified in (a) to (h) below at any time in the restricted area:
 - (a) Driving a motor vehicle ("motor vehicle" is defined in the schedule) at excessive speed causing or being likely to cause a nuisance to persons in the locality of the restricted area.
 - (b) When driving a motor vehicle causing repeated sudden and rapid acceleration or deceleration of the motor vehicle causing or being likely to cause a nuisance to persons in the locality of the restricted area.
 - (c) Racing other motor vehicles causing or being likely to cause a nuisance to persons in the locality of the restricted area.
 - (d) Performing stunts using a motor vehicle causing or being likely to cause a nuisance and/or danger to persons in the locality of the restricted area. Performing stunts includes but is not limited to doughnutting, drifting, handbrake turns, wheelies, wheel spins or any other motor vehicle related activities which cause or are likely to cause a nuisance and/or danger to persons in the locality of the restricted area. Descriptions of the activities of doughnutting, handbrake turns, drifting, wheelies and wheel spins are set out in the schedule.
 - (e) Sounding motor vehicle horns other than in accordance with the Highway Code in a manner causing or being likely to cause a nuisance to persons in the locality of the restricted area.

- (f) Playing amplified music in a motor vehicle or powered from a motor vehicle causing or being likely to cause a nuisance to persons in the locality of the restricted area.
- (g) During an activity specified in a to f above, using threatening and/or abusive language or otherwise intimidating another person causing or likely to cause a nuisance to persons in the locality of the restricted area.
- (h) Dropping litter from a motor vehicle.

6. An activity or behaviour which is authorised by the owner of that part of the restricted area where the activity or behaviour is taking place is not a breach of this Order.

7. Section 67 of the Act states that it is an offence for a person without reasonable excuse:

- (a) To do anything that the person is prohibited from doing by a public spaces protection order or,
- (b) To fail to comply with a requirement to which the person is subject under a public spaces protection order.

A person guilty of an offence under section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

A person does not commit an offence under section 67 of the Act by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order.

A fixed penalty notice could be issued for a breach of this Order which if it remains unpaid could lead to prosecution.

Challenging the validity of orders

An interested person may apply to the High Court to question the validity of this Order and an interested person means an individual who lives in the restricted area or who regularly works in or visits that area. Any such interested person may apply to the High Court within six weeks from the date on which this Order was made on the grounds that the Council did not have the power to make the Order or to include particular prohibitions or requirements imposed by the Order or that a requirement under Chapter 2 of the Act was not complied with in relation to this Order.

SCHEDULE

(Plan showing the area covered by the Great Yarmouth Borough Council Public Spaces Protection Order No. 2 2016 outlined)

Definition of Motor Vehicle:

The term 'motor vehicle' is defined in section 185(1) of the Road Traffic Act 1988 and section 136(1) of the Road Traffic Regulation Act 1984 as "a mechanically propelled vehicle, intended or adapted for use on roads".

Description of prohibited activities:

Doughnutting - driving around in a repetitive manner, for example in a figure of eight at the central reservations on the sea front.

Hand brake turns - using the handbrake to turn the vehicle.

Drifting - use of the accelerator when going into a bend causing the tail end of the vehicle to slide.

Wheel spins - use of the accelerator when the vehicle is stationary and before releasing the handbrake causing the wheels of the car to spin and noise and/or smoke to be produced. Or accelerating at speed which causes the wheels of the vehicle to spin in a manner a competent driver would expect not to happen in the normal course of driving.

Wheelies - A trick or manoeuvre whereby a bicycle or motorcycle is ridden for a short distance with the front wheel raised off the ground.

Dated

THE COMMON SEAL of Great Yarmouth Borough
Council was hereunto affixed in the presence of

.....

Authorised Officer

Subject: The Wellesley Recreation Ground
Report to: Housing and Neighbourhoods Committee

Report by: Group Manager- Neighbourhoods and Communities
Date: 27th October 2016

SUBJECT MATTER/RECOMMENDATIONS

To consider recent reports of ASB and Criminal Damage at the Wellesley Recreation Ground and immediate prevention work and longer term development options.

1. INTRODUCTION/BACKGROUND

- 1.1 The report follows on from a discussion at the previous Housing and Neighbourhoods Committee about Wellesley Recreation Ground and its future use and reports on recent issues relating to ASB and criminal damage on the same site.

2. STRATEGIC IMPLICATIONS

- 2.1 Great Yarmouth Town Football Club has occupied the Wellesley Recreation Ground since its creation in 1892. The Wellesley Recreation Ground is also home to Great Yarmouth Athletics Club and the oldest purpose-built football stand in the world. It is also home to an existing multi use games area and a tennis court. Part of the recreation ground also features a Tennis Pavilion and Attendants Office which are both in a serious state of disrepair.
- 2.2 Levels of Anti-Social behaviour have increased over recent months and ease of access to the Recreation Ground has led to drug dealing, drug taking, vandalism/graffiti in the grandstand and theft of athletics equipment from storage facilities.
- 2.3 The Neighbourhood Manager for the area has worked with the Police and Crime Prevention Officer from Norfolk Constabulary to look at short-term and medium term measures to address these issues. As a short-term measure access to the recreation ground has been restricted from 7pm every evening, although this does not remove the risk of further anti-social behaviour due to the nature of the ground's easy access. As a medium term measure a recommendation for CCTV around the facility has been made and a capital bid has been submitted for council's consideration.
- 2.4 In 2015 Great Yarmouth Borough Council undertook a Sport, Play and Leisure Strategy to provide an evidence-led approach to the future provision of leisure and sport facilities for the borough's population. The strategy highlighted Wellesley Recreation Ground as a key outdoor leisure asset which could benefit from a different operating model. The recommendation of exploring the development of a trust to run the site could open up further opportunities of external funding.
- 2.6 From a leisure management perspective the Wellesley Recreation Ground is a significant cost to the council. The costs for maintenance far outweigh income

received on the site at present, particularly as the pitch needs to be maintained to FA standards. The cost of site maintenance and servicing the Wellesley Recreation Ground by GYBS has been calculated as £50,090 per annum. There are also maintenance liabilities relating to the stand which need to be absorbed by council maintenance budgets. Construction Services are currently undertaking conditions survey of the buildings of the site and it is clear that some urgent remedial works will be required on the grandstand in the near future.

3. FINANCIAL IMPLICATIONS

- 3.1 The Wellesley Recreation Ground will continue to present a financial burden to the council, however its potential role in future outdoor leisure development has been highlighted. The site is currently protected as recreation space through a Fields in Trust covenant. There is a clear ambition that outdoor leisure facilities should cost the council less in the longer term and any future investment options must reflect this objective.

4. RISK IMPLICATIONS

- 4.1 The future viability of the grandstand and facilities at the recreation ground will continue to pose a risk to the council until a more sustainable model of operation is developed. Further ASB and criminal damage could create greater costs to the council moving forward and the risks to the public increase.

5. CONCLUSIONS

- 5.1 Council officers have started work with all current stakeholders using the site to start scoping options in terms of future site management. A working group will be established involving ward members to progress options. The Neighbourhood Manager will also continue to work with the Police and users to tackle current ASB on the site. It is proposed to bring a report to a future committee.

6. RECOMMENDATIONS

- 6.1 The Housing and Neighbourhoods Committee is asked to note the contents of this report and recommended next steps.

Area for consideration	Comment
Monitoring Officer Consultation:	Through EMT
Section 151 Officer Consultation:	Through EMT
Existing Council Policies:	Corporate Plan/ Sport, Play and Leisure Strategy
Financial Implications:	Outlined in report
Legal Implications (including human rights):	Outlined in report
Risk Implications:	Outlined in report

Equality Issues/EQIA assessment:	Will need to be considered as proposals develop.
Crime & Disorder:	None identified at this stage.
Every Child Matters:	None identified at this stage- but will impact on play and recreational provision.