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### **Cabinet Member for Policing and Equalities**

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#### **Time and Date**

3.00 pm on Thursday, 10th January, 2019

#### **Place**

Diamond Room 2 - Council House

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#### **Public Business**

1. **Apologies**

2. **Declarations of Interest**

3. **Minutes** (Pages 3 - 16)

(a) To agree the minutes of the Cabinet Member (Policing and Equalities) meeting held on 25<sup>th</sup> October, 2018

(b) Matters arising

4. **Petition - Reduce the number of Councillors in each ward** (Pages 17 - 24)

Report of the Deputy Chief Executive (Place)

To consider the above petition, bearing 24 signatures, which has been submitted by the petition organiser, who has been invited to the meeting for the consideration of this item.

5. **Petition - Anti-Social Behaviour at Cephas Court, Hillfields** (Pages 25 - 30)

Report of the Deputy Chief Executive (Place)

To consider the above petition, bearing 15 signatures, which has been submitted by Councillor O'Boyle, a St Michael's Ward Councillor, who has been invited to the meeting for the consideration of this item along with the petition organiser.

6. **Petition - Measures to prevent illegal encampment at the Ponderosa, off Jardine Crescent** (Pages 31 - 36)

Report of the Deputy Chief Executive (Place)

To consider the above petition, bearing 5 signatures, which has been submitted by Councillor Male, a Woodlands Ward Councillor, who has been invited to the meeting for the consideration of this item.

7. **Extension of Public Space Protection Order for Edgewick Park** (Pages 37 - 50)

Report of the Deputy Chief Executive (Place)

8. **Drone Policy and Police Drone Permission** (Pages 51 - 60)

Report of the Deputy Chief Executive (Place)

9. **Outstanding Issues**

There are no Outstanding Issues.

10. **Any Other Business**

To consider any other items of business which the Cabinet Member decides to take as a matter of urgency because of the special circumstances involved.

**Private Business**

Nil

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Martin Yardley, Executive Director, Place, Council House Coventry

Wednesday, 2 January 2019

Note: The person to contact about the agenda and documents for this meeting is Michelle Rose Tel: 024 7683 3111; [michelle.rose@coventry.gov.uk](mailto:michelle.rose@coventry.gov.uk)

Membership: Councillors P Akhtar (Deputy Cabinet Member), A Andrews (Shadow Cabinet Member) and AS Khan (Cabinet Member)

Please note: a hearing loop is available in the committee rooms

If you require a British Sign Language interpreter for this meeting OR if you would like this information in another format or language please contact us.

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**Coventry City Council**  
**Minutes of the Meeting of Cabinet Member for Policing and Equalities held at 3.00 pm on Thursday, 25 October 2018**

Present:

Members: Councillor AS Khan (Chair Cabinet Member)  
Councillor A Andrews (Shadow Cabinet Member)  
Councillor P Akhtar (Deputy Cabinet Member)

Other Members: Councillor N Akhtar – for the matter in minute 27  
Councillor O’Boyle – for the matter in minute 27  
Councillor McNicholas –for the matter in minute 24

Employees (by Directorate):

People H Shankster  
Place D Blackburn, G Carter, S Harriott, G Hood, S Hutt, M  
McHugh, M Rose

Apologies: Councillor D Welsh - invited for the matter in minute 27

## **Public Business**

### **21. Declarations of Interest**

There were no disclosable pecuniary interests.

### **22. Minutes**

The minutes of the meeting held on 8th October, 2018 were agreed as a true record.

### **23. Petition - Tarmac area of grass adjacent to Sledmere Close, Coventry**

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which responded to a petition bearing 14 signatures, sponsored by Councillor Harvard, a Longford Ward Councillor, which had been submitted to the City Council on 17th April, 2018. The petition requested that the Council tarmac a strip of land adjacent to Sledmere Close, which forms part of Longford Park. The petitioners commented that the grass verge was currently a major health and safety concern and also a complete eyesore as the grass was constantly churned up by the traffic that drives upon it. An aerial image, plan of the area and photographs were appended to the report. The petition spokesperson and Councillor Harvard were invited to the meeting but were unable to attend.

The report noted that the petition related to a strip of land which was set to grass which formed part of Longford Park and runs adjacent to Sledmere Close. A low post and rail fence was erected many years ago within the park approximately 3 metres from the edge of the Sledmere Close road leaving a strip of grassed land, which has the appearance of a verge but forms part of the park. The Councils

Streetpride Service maintain the park which encompasses the grassed strip adjacent to Sledmere Close on behalf of the Greenspace Service. Maintenance included grass cutting, litter collection and turf reinstatement when resources allowed. The report noted that as Sledmere Close was a relatively narrow road, 4 metres wide, vehicles were unable to pass without encroaching on the grassed strip of park land. This caused considerable damage to the grass which became muddy, unsightly and difficult to maintain.

The grassed strip of land does not form part of the adopted highway but falls within the management remit of the Councils Greenspace Service. The cost to remove the grass strip in order to widen the road would cost in the region of £20,000-£40,000 and was beyond their existing resources. The Council's Highway Service would consider adopting the grassed strip of land as part of the highway however, they did not have the budgetary resources which would enable them to undertake the construction works. There were four lighting columns and a telegraph pole on the grass strip which made the proposal to widen the road more difficult therein more costly than usual. There would also be a loss of 400 square metres of Parkland to consider, the strip of grass was currently part of Longford Park, which was a Green Flag Park.

The report also noted that the Councils adopted Verge Policy stated that on roads of this type, until prioritised for works, there was the presumption that verge parking would be tolerated unless there were safety concerns and that repairs would be carried out to grass areas in accordance with normal procedures. Priority was given to main roads in and out of the city followed by important secondary routes.

**RESOLVED that the Cabinet Member for Policing and Equalities:**

- 1. Consider the content of the petition and note the concerns of the petitioners'**
- 2. Note that the land in questions forms part of Longford Park and falls within the management remit of the Councils Greenspace Service and does not form part of the adopted highway.**
- 3. Note that the cost of laying the land to tarmac is estimated at in the region of £20,000-£40,000 and beyond the Councils Greenspace Service budget.**
- 4. Note that although the Councils Highways Service would consider adopting the land as highway land they also do not have the resources to set the land out as tarmac.**

**24. Petition - Refurbishment of the Tick Tock Play Area, Stoke Green.**

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which responded to a petition bearing 22 signatures, sponsored by Councillor McNicholas, a Lower Stoke Ward Councillor, which had been submitted to the City Council on, 18th July, 2018. The petition requested that the Council refurbish the Tick Tock children's play area located within Stoke Green Park. Appended to the report were the following: an areal photo, a boundary photo, the original design,

the post installation report and asset photos. The petition spokesperson was invited to the meeting but was unable to attend, Councillor McNicholas spoke on behalf of the petitioners.

The report noted that the play site was located within Stoke Green in the South of the City just off the Binley Road and included a number of items of play equipment designed to cater for the younger age group. There were also a number of infrastructural elements associated with the play area including fencing, tarmac paths and safer surfacing. The park was under the control of the Councils Greenspace Service within the Place Directorate.

In 2012 the Gosford Residents Association (GRA) submitted a successful application to the Jubilee People's Millions Big Lottery and were awarded £56,000.00 to construct a play area. The original idea to provide timber equipment on site was not supported by Parks Service and the plans were revised to incorporate more durable metal equipment. The Greenspace Service also stated that their preference was for Dura Sports' Impact Play Grass safety surfacing as this was proven to be long lasting and durable, however the group confirmed that they had decided to use "Matta" grass reinforcing rubber matting as it was cheaper and they could provide an additional item of equipment if that was used.

As part of the funding agreement the City Council had to agree to inspect and maintain the play area for a minimum of 5 years following opening, which was agreed. New seats, waste bins and a new notice board were provided by Parks Service, along with an illustrated name sign. The play area opened in 2012 and was independently inspected by The Play Inspection Company included in Appendix 2 to the report.

Shortly after the play area opened the GRA confirmed that they wanted to provide an additional item of equipment, the large Multi-play Tube slide, however they did not have enough funds. Parks Service provided funds of around £17k towards its provision and installation including Dura Sports' Impact Play Grass safety surfacing. Parks Service also funded the refurbishment of the paved crescent within the play area at a cost of around £13k including improvements to a macadam footpath.

Since the play area opened two of the original items have had to be removed due to on-going maintenance issues and vandalism. The "Glow worm see-saw" was removed and replaced by a Play Train which was purchased by the GRA. The Greenspace Service funded its installation and provision of the Impact Play Grass safety surfacing at a cost of around £3k. The "Rotor play round-a-bout" was currently awaiting replacement. Streetpride had confirmed that this would be replaced with a Sutcliffe Leisure "Spinning Disc". It was anticipated that this would be installed in approximately 10 weeks. The Greenspace Service also provided an additional double swing in 2013 at a cost with barriers of £5.5k.

The large multi-play unit suffered from arson several years ago and all the damaged items were replaced at that time. Some sections of the unit were still awaiting a fresh coat of paint, although this had not been identified as a priority. The GRA recently contacted the Councils Parks Service regarding the deteriorating condition of the "Matta" grass reinforcing rubber matting. The Parks Service facilitated a meeting with Dura Sport who provided the group a quote of

£15.5k to remove the rubber matting and replace with their Impact Play Grass safety surfacing. The group later confirmed that they did not have enough funds and enquired as to whether Parks Service would contribute towards it. It was agreed that the cost would be split 50:50. This work was currently being programmed.

When external or internal inspections were undertaken, consideration was also given to the serviceable life expectancy of the facility, usually on an item by item basis as not all equipment needed to be replaced at the same time. In these cases, recommendations were made as to what items should be considered for replacement or improvement and the works were then included in the play area maintenance programme. Currently there were no items of equipment on site identified as beyond practicable use.

A full refurbishment of this play area would cost approximately £110k to complete. Parks Service does not have the existing resources to undertake this proposal, however they did not consider this would be necessary anyway as all the equipment was within six years old.

The nearest other play facility was located at Gosford Green and the Tick Tock play facility falls outside its catchment area. The eventual removal of this play facility would leave the local community without any play provision within a reasonable distance. It was therefore recommended that the Councils Park Service retain the facility and it continued to explore and exploit all funding opportunity both external and internal to replace items which reached the end of their practicable life with dynamic and high play value items of equipment and when possible install additional items to provide an exciting and stimulating play environment.

Councillor McNicholas was supportive of the recommendations and noted that this park was loved by the community and he was delighted that the report recognised the importance of retaining the local play area.

**RESOLVED that the Cabinet Member for Policing and Equalities:**

- 1. Note that inspections of the play area have identified that the equipment is still within its practicable life.**
- 2. Note that the Tick Tock play facility falls outside the catchment area of the nearest equipped local play facility**
- 3. Agree that the Tick Tock play area be retained and that items of the existing play equipment be replaced as and when it reaches the end of their practicable life and be funded through a combination of external funding and existing budget provision.**

**25. Petition - Radford Common Park Play Area**

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which responded to a petition bearing 10 signatures, which had been submitted to the City Council on 8th July, 2017. The petition requested that that the Council update the children's play area located within Radford Common. Items of existing

equipment were shown in an appendix to the report. The petition spokesperson was invited to the meeting but was unable to attend.

The report noted that Radford Common was a small site located close to the busy Radford Road in the North East area of the City. The play area contained a number of items of equipment designed to be appropriate for both the younger age group aged 4 to 7 years and the senior age group 8 to 13 years. In addition, the play site also included items for informal sports play, this included a basketball area and football. Infrastructural elements associated with the play site included fencing, seating, bins, tarmac footpaths and safer surfacing.

There used to be a paddling pool on the site which was closed and filled in sometime in the 1990's as it was continually being subject to vandalism and the cost of repair had become unsustainable. The existing play area was installed in 2009 in response to requests from local residents and from external income including section 106 funding. During its construction the play area suffered from considerable antisocial behaviour (ASB) including arson. This ASB continued for 6-8 months afterwards. As a result of the high levels ASB a CCTV camera was installed which overlooked the main play area which was controlled and monitored by the police. Although the site still experienced ASB, particularly in the evenings it was now considerably less than that experienced some years ago.

The play area was divided into 3 areas with the teenage area set away from the main play facility to avoid any potential conflicts between differing age groups. Overall the site had a generous provision of varying equipment as detailed in the report.

During 2015/16 the Parks Service operational budget was reduced by £1m from 2016. As part of its financial strategy the service now reviewed the replacement of play equipment as and when its practicable life ends. When external or internal inspections were undertaken, recommendations were made as to what items should be considered for replacement or improvement and the works were then included in the play area maintenance programme. Inspections had indicated that all the equipment was in good condition and sound practicable use.

A full refurbishment of this play area had been considered however this would cost a minimum of approximately £150,000 to complete and the Parks Service did not have the existing resources to undertake this proposal. The option to remove and not replace items of equipment deemed to have reached the end of their practicable life was considered however, this would result in the gradual further and overall reduction in the play value and benefit of the facility over time and lead to its eventual removal. The nearest other play facility was located at Coundon Park and Radford Common falls outside its catchment area. The eventual removal of this play facility would leave the local community without any play provision within a reasonable distance. It was therefore recommended that the Councils Park Service retain the facility and continued to explore and exploit all funding opportunity both external and internal to replace items which reach the end of their practicable life with dynamic and high play value items of equipment and when possible install additional items to provide an exciting and stimulating play environment.

The Cabinet Member recognised that this petition had been submitted in 2017 and apologised for the delay in the decision.

**RESOLVED that the Cabinet Member for Policing and Equalities:**

- 1. Note that inspections of the play area have identified that the equipment is in good condition and sound practicable use.**
- 2. Note that Radford Common falls outside the catchment area of the nearest equipped local play facility**
- 3. Agree that Radford Common play area be retained and that items of the existing play equipment be replaced as and when it reaches the end of their practicable life and be funded through a combination of external funding and existing budget provision.**

**26. Petition - Response regarding concerns over environmental issues anti-social and criminal behaviour in the vicinity of alleyway in between Freeman Street and Red House Park**

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which responded to a petition bearing 10 signatures, which had been submitted to the City Council on 12th July, 2018. The petition submitted raised concerns over; environmental issues, anti-social and criminal behaviour in an alleyway between Freeman Street and Stoney Stanton Road. The petitioners requested that the alleyway be gated at either end. The petition spokesperson attended the meeting and spoke on behalf of petitioners. The Police sent their apologies.

Local residents attended the meeting and commented on the rubbish they find which included needles and glass, fridge freezers and mattresses. They were fearful of letting children play in their gardens and walking through the entry. They were intimidated and they had experienced burglaries, people climbing into their gardens, people selling drugs and people staring to their houses.

This report detailed actions taken by the City Council and West Midlands Police to address the resident's concerns.

The main issues concerned a spate of alleged incidents of Anti-Social Behaviour (ASB) in the alleyway between Freeman Street and Red House Park, mainly at night. Residents felt that the ASB and criminal activity in the area made it an unsafe place and the alleyway should be gated by the Council.

The report noted that recorded data regarding flytipping and litter complaints from July 2017 to July 2018 amounted to 31 reports directly related to Freeman Street. Freeman Street was patrolled regularly, at least once a week by officers from the Neighbourhood Enforcement Team and referrals were made to ensure the area was kept clean. Of the 31 reports mentioned above, 20 were as a result of council officers logging the issues whilst on these routine patrols. None of the reports were connected to the alleyway in question.

The Councils Street Cleansing Team carry out cleaning schedules once a week in Freeman Street. In addition, specific visits were undertaken to collect reported fly

tipping from council land. All cases of littering and fly tipping were investigated, with the appropriate course of action depending on any evidence found at the scene and witnesses to the offence(s).

Police data for the period 01/01/18 – 19/08/18 showed a total of one ASB log for Freeman Street. This again was not connected to the alleyway in question. The Local Neighbourhood Police Sergeant stated, that crimes had been committed in Red House Park and that offenders had used the alleyway to make their escape.

In response to the petition, officers from the Council had made contact with the lead petitioner. The alleyway in question was a public right of way and although there was a procedure to close public thoroughfares because of public safety issues, they were only granted in exceptional circumstances. At this moment in time there were very few reports to the Police and Local Authority and this course of action was therefore, not the recommended option.

West Midlands Police and the Council would continue to monitor the situation. Extra patrols would take place as duties allow and individuals found to be causing issues were challenged and appropriate action taken.

The report encouraged residents to set up a Neighbourhood Watch in the area as there was not one in the area and report incidents of concern to Police as soon as they occurred.

**RESOLVED that the Cabinet Member for Policing and Equalities:**

- 1. Request West Midlands Police and Council officers to continue their monitoring of the area and respond accordingly to residents requests for assistance.**
- 2. Encourage residents to set up a Neighbourhood Watch in the area and report incidents of concern to the Police and the Council as soon as they occur.**

**27. Report Back on Petition - Response regarding concerns over anti-social behaviour in the vicinity of Priors Harnall and Cawthorne Close**

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which provided a report back on a petition bearing 39 signatures, sponsored by the St Michael's Ward Councillors (Councillor's Welsh, O'Boyle and Akhtar) which had been submitted to the City Council on 14th June, 2017. The report had been initially considered on 27th July, 2017 and a report back had been considered on 13th March, 2018 (minutes 3/17 and 16/17 refer). The petition was regarding concerns over; anti-social behaviour in the vicinity of Priors Harnall and Cawthorne Close, notably focused around the greenspace to the rear of 16 – 22 Priors Harnall. The Petition spokesperson and Councillors O'Boyle and Akhtar attended the meeting and spoke on behalf of petitioners. The Police sent their apologies.

The petition highlighted residents' concerns with anti-social behaviour notably that young children and youths congregate around the green open space between Priors Harnall and Cawthorne Close. The residents highlight that young children were playing ball games within the grassed area on Cawthorne Close. They also

state that in the evening there were older youths who congregate to the rear of the garage area and it was believed that they were taking drugs.

Residents felt intimidated and were regularly disturbed by the activity of these groups and stated that there were also numerous incidents of dog fouling, littering and fly tipping in the same area. This made the area look dirty and untidy and encouraged more flytipping. Residents were keen to have the issues addressed at the earliest opportunity.

The six month update was heard on the 13th March 2018, it was agreed that the recommendations agreed at the initial hearing were to carry on but also for residents to report specific issues directly to the local policing team using a non-crime number. This would allow a better picture of the issues to be obtained.

Officers had made contact with the local policing team to ascertain if there had been any further issues of an Anti-Social Behaviour (ASB) or of a Police nature in the twelve month period since the original petition was raised. Inspector Meade had responded on behalf of the police. As a general overview of the situation, where possible officers respond to the reports of ASB in this area. The CCTV footage had been downloaded on several occasions and it showed very young children playing football on the grassed area. On every occasion that staff had approached the children, they had been polite with the officers and they had been advised not to kick their balls against walls and resident's private property.

Officers had checked the council's database for both locations and had ascertained that in the 10 month period 01/01/2018 until 01/10/2018 there were the following:

Cawthorne Close:

- 1 incident of flytipping reported to Street Services.
- 2 abandoned vehicles reported
- 6 reports of ASB – [also referred to the police]. These were duplicate queries already received by the police.

Priors Harnall:

- 1 incident of flytipping reported to Street Services
- 1 reported by Environmental Crime
- 1 abandoned vehicle reported
- 6 Reports of ASB– [also referred to the police]. These were duplicate queries already received by the police

Residents were encouraged to set up a Neighbourhood Watch in the area, records showed that residents from Cawthorne Close had one set up, and that Priors Harnall had made initial enquiries, the police had held meetings on site and had managed to get residents to sign up to the online reporting system.

The local policing team were looking to work with partner agencies in the community to provide youth engagement.

It was agreed that a lamp column on the green space would be adapted to assist the police and the council in identifying perpetrators of ASB. The camera had been

in place for some time now and had allowed officers from the police to respond to issues in the area and provided valuable information.

Officers from the councils projects and planning team were working on a long term solution which may include developing the site, there were no firm updates regarding this proposal as yet.

The petition spokesperson spoke on behalf of residents about frustrations when reporting including the length of time taken to report an incident, not being registered on WMNow and that the cameras had now gone and when they were present the lack of signs meant that the information could not be used. Councillor O'Boyle discussed how the issues had evolved and the importance of the local residents being in agreement about possible different uses of the space.

Officers discussed potential ideas that would need investigating including the planting of trees.

**RESOLVED that the Cabinet Member for Policing and Equalities:**

- 1. Request West Midlands Police and Council officers to continue their monitoring of the area and respond accordingly to residents requests for assistance.**
- 2. Encourage residents to continue to report incidents of concern to Police and the Council as soon as they occur, police to engage with those perceived to be engaged in antisocial activity.**
- 3. Request that some form of youth engagement be initiated in the area to mitigate the impact that large numbers of children may have on the area.**
- 4. To continue with the use of CCTV in the area if it felt that there is a need to monitor criminal activity.**
- 5. To continue to look at the feasibility study into developing the greenspace [it is appreciated that this will be a long term solution].**
- 6. Agree to look at the viability of planting trees in the green space and to investigate options in relation to the concrete area mentioned within the report.**

**28. Gambling Act 2005- Revised Statement of Gambling Policy**

Further to minute 3/18 the Cabinet Member considered a report of the Deputy Chief Executive (Place) which provided an update for Members on the outcome of the 6 week consultation on the review of the Council's Statement of Gambling Policy for the Gambling Act 2005. The report recommended for approval, a revised policy for the period 2019 – 2022 which was appended to the report. The report had been considered by the Licensing and Regulatory Committee on 23rd October, 2018 (their minute 44/18 refers) and was due to be considered by Council on 4th December, 2018.

The Gambling Act required each licensing authority to prepare and publish a Statement of Gambling Policy. The policy statement set out how the licensing authority intended to approach its licensing responsibilities and in particular how it intended to promote the three licensing objectives.

The current Gambling Policy came into effect on 3rd January 2016, to cover a period up to 31st January 2019. The policy had to be renewed every three years and be subject to a full consultation process.

The report advised Members of the consultation that had taken place and outlined the comments received and amendments made to the Council's draft Gambling Policy. There were no major changes to the Policy except some minor wording amendments. The general principles of the Gambling Policy remained the same and the document was still centred around the Gambling Act's three licensing objectives, namely:

- Preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime;
- Ensure gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The public consultation exercise finished on 18th September 2018, and included the following elements:-

- Mail shots to operators
- Notification to the responsible authorities
- Mail shots to trade organisations
- Wider public consultation through the city council's website.

The revised policy consulted on had no major changes and only contained minor wording proposals. Five consultation responses were received; 4 supported these changes and provided additional minor wording proposals (a summary of which had been outlined in Appendix B to the report) and 1 provided no comments/changes.

All statutory consultees had received a full copy of the draft Gambling Policy and notification of the draft policy was given to all Council Members and Parish councils. The draft policy was also made available on the council's website from 7th August 2018 to 18th September 2018 and was sent to all licensed businesses, Responsible Authorities, resident associations and other public consultees as set out in the policy inviting them to comment.

Preventing gambling from being a source of crime or disorder was a licensing objective where the Gambling Commission took a leading role. The Commission investigated the suitability of applicants to hold an operators or personal licence. An operator's licence was required to be held prior to being able to apply for a premises licence through the licensing authority. Licensing authorities may consider the locations of premises in the context of this objective. There were strong links between the administration of the licensing process and the role of the Community Safety Partnership and West Midlands Police. The Gambling policy provided information about proposed enforcement protocols with the police and

other enforcement authorities. As a Responsible Authority, the Police had been a key consultee.

One of the licensing objectives was 'Protecting children and other vulnerable persons from being harmed or exploited by gambling'. Applicants were required to show how they would address this objective in their risk assessment when making applications. The Coventry Safeguarding Children Board was a Responsible Authority consulted on when applications were made. They had been made aware of the policy review and had been consulted.

If the Gambling Policy was not renewed in the above timeframe, the City Council would not be able to perform its function under the Act. The consultation process and council meeting dates had been planned to ensure that the policy was in place at the required time.

The Statement of Gambling Policy would inform decisions taken by the licensing authority that would have an impact on the interests of individuals and businesses. The policy reflected the need to respect the relevant rights given by the Human Rights Act.

Decisions of the licensing authority were open to challenge through the Magistrates Court and beyond. The Statement of Gambling Policy was designed to ensure compliance with legislation and statutory guidance, minimising the risk of legal challenge.

Following public consultation, the revised draft Statement of Gambling Policy was now ready to be recommended for adoption to take effect from 31st January 2019 (Appendix A).

Officers reported that there were no further comments to consider from the Licensing and Regulatory Committee on 23rd October, 2018.

**RESOLVED that the Cabinet Member for Policing and Equalities:-**

- 1. Consider the results of the consultation, and the proposed changes on the revised Statement of Gambling Policy for the period 2019 – 2022 and any comments from the Licensing and Regulatory Committee**
- 2. Recommend to Council that it adopts the revised Statement of Gambling Policy attached as Appendix A of the report.**

**29. Updated Procedural Guidance: RIPA Covert Surveillance & Covert Human Intelligence Sources (RIPA Procedural Guidance)**

The Cabinet Member considered a briefing note and report of the Deputy Chief Executive (Place). The report provided an update regarding amendments made to the Council's Regulation of Investigatory Powers Act 2000 (RIPA) Procedural Guidance following:

1. The Inspection by the Office of Surveillance Commissioners in December 2016 and their subsequent inspection report, dated December 2016; and

2. The introduction of the General Data Protection Regulation (GDPR) on 25 May 2018.

The Report was considered by Audit and Procurement Committee on 10<sup>th</sup> September, 2018 (their minute 31/18 refers) and the briefing note provided the Cabinet Member with the discussion and outcome from this meeting.

The report noted that RIPA governed the acquisition and disclosure of communications data and the use of covert surveillance by local authorities.

The Council used powers under RIPA to support its core functions for the purpose of prevention and detection of crime where an offence may be punishable by a custodial sentence of 6 months or more, or was related to the underage sale of alcohol and tobacco. The three powers available to local authorities under RIPA were: the acquisition and disclosure of communications data; directed surveillance; and covert human intelligence sources (CHIS).

The Act set out the procedures that Coventry City Council must follow if it wished to use directed surveillance techniques or acquire communications data in order to support core function activities (e.g. typically those undertaken by Trading Standards and Environmental Health). The information obtained as a result of such operations could later be relied upon in court proceedings providing RIPA was complied with.

The Council's compliance with RIPA was monitored by the Investigatory Powers Commissioner's Office (formerly by the Office of Surveillance Commissioners, which was abolished in 2017) who conducted inspections on roughly a bi-annual basis. The last inspection at Coventry City Council was December 2016.

The Home Office Code for Covert Surveillance and Property Interference recommended that elected members, whilst not involved in making decisions or specific authorisations for the local authority to use its powers under Part II of the Act, should review the Council's use of the legislation and provide approval to its policies. The Council adopted this approach for oversight of the authority's use of Parts I and II of the Act.

The updated and amended RIPA Procedural Guidance and the Use of Social Media in Investigations Guidance were appended to the report and the changes were detailed in the report.

The briefing note recognised that the Audit and Procurement Committee identified that with developments in technology and incoming of GDPR this was a growing area that needed guidance providing by the Council. They acknowledged that although the case law in the area of Social Media in Investigations was in its infancy the Investigations Guidance was clear about what not to do. The Solicitor had agreed to keep both documents under review and arrange for communications/ publicity around the launch of both the updated RIPA Procedural Guidance and the Investigations Guidance.

**RESOLVED that the Cabinet Member for Policing and Equalities:**

1. **Consider any comments and recommendations provided by the Audit and Procurement Committee.**
2. **Approve the updated and amended RIPA Procedural Guidance as a formal record of the Council's use and compliance with RIPA.**

30. **Equalities Objectives Performance Report 2017/2018**

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which provided an update on the Equalities Objectives Performance Report 2017/18. The Cabinet Member for Policing and Equalities approved the equality objectives for the Council in July, 2016, as set out in the appendix to the report (minute 25/16 refers). The Equality, Diversity & Inclusion Commitment were also appended to the report

The equality objectives were linked to the Council Plan and were set for four years or until the next refresh of the Council Plan. The Cabinet Member had also agreed to receive an annual report on the progress made on the equality objectives. This report provided information on the progress made with the equality objectives from April 2017 to March 2018.

The report noted that the Public Sector Equality Duty required the Council, as a listed public authority, to publish equality objectives that it thought it needed to achieve to further any of the aims of the general equality duty. The Council's emerging One Coventry programme provided an opportunity to refresh our approach on this, and the development of new equality objectives 2019 to ensure that equality objectives for the future were clearly aligned to both Council plan priorities and the outcomes that we want to be achieved through delivery of these.

Through One Coventry, the only way to be successful was by having a clear focus on our equality and diversity responsibilities from concept to implementation and throughout delivery of change and improvement projects. A number of key priorities were already part of the One Coventry programme including Housing and Homelessness, Children's Services and Our Future Workforce with equality and diversity being embedded within these.

In May 2018 the Council sent a formal response to the Integrated Communities Green Paper. The Green Paper set out recommendations for local authorities including: to set and deliver a vision with partners and communities to mainstream integration objectives across policy and service delivery; to set an equality objective outlining specific activity to promote integration; and, to review a selection of policies and services to determine how they might drive integration. Work to explore a Coventry response to creating greater integration with partners had begun and revision of the equality objectives would enable the Council to set out how it would respond.

The report detailed the 15 equality objectives and progress towards the equality objectives measured through a variety of means including performance indicators, comparators with other areas, contextual information and actions taken. Where possible, indicators had been broken down by protected groups to ensure that all protected characteristics under the Equality Act had been considered, monitored and reported on. For example, improving educational outcomes was broken down

into gender, Special Educational Needs, race and by pupil premium progress. Progress against each equality objective was set out in the report and linked to the appropriate Council Plan theme.

In summary, the report detailed that there had been good progress in some areas; lots of work was being undertaken in relation to employment and training, in particular around the promotion of 'living wage and above' jobs. In addition, support was continuing to be offered to migrants with regard to accessing employment, work experience and higher education. There had also been a reduction in numbers of teenage pregnancies, first time entrants to the youth justice system and alcohol related admissions to under-18s. However, by contrast the report showed increasing numbers of hate crime incidents, the majority of which (85%) were classed as racist incidents.

The Councillors commended the progress made on the objectives and discussed improving educational outcomes and employment and training.

**RESOLVED that the Cabinet Member for Policing and Equalities:**

- 1. consider the development of a new set of equality objectives during 2019**
- 2. consider the progress made on the equality objectives at year end**

**31. Authority for Attendance at Conference**

**RESOLVED that the Cabinet Member approve the attendance of Councillor Kamran Caan (Cabinet Member for Public Health and Sport), Councillor Rois Ali (Deputy Cabinet Member for Public Health and Sport), Councillor John Blundell (the Lord Mayor), David Nuttall and David Moorcroft at the European City of Sport Awarding Ceremony and Network Event to be held in Brussels on 3rd-5th December, 2018.**

**32. Any Other Business**

There were no other items of business.

(Meeting closed at 3.45 pm)



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Cabinet Member for Policing and Equalities

10 January 2019

**Name of Cabinet Member:**

Cabinet Member for Policing and Equalities – Cllr A S Khan

**Director Approving Submission of the report:**

Deputy Chief Executive, Place

**Ward(s) affected:**

All

**Title:**

Petition – Reduce the number of Councillors in each ward

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**Is this a key decision?**

No

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**Executive Summary:**

The Council has received an e-petition signed by 24 people calling for a reduction in the number of councillors and to hold elections once every four years. Electoral arrangements are set out in law and subject to oversight by certain national bodies and this report sets out the context and factors that would need to be considered should any changes be proposed.

**Recommendations:**

The Cabinet Member is requested to:

- 1) Consider the detail in the report and determine what action if any should be taken in response to the issues raised in the petition.

**List of Appendices included:**

None

**Background papers:**

None

**Other useful documents**

None

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

**Report title:** Petition – Reduce the number of Councillors in each ward

## **1. Context (or background)**

- 1.1 The Council has received an e-petition with 24 signatures entitled “Reduce the number of councillors in each ward” and stating: *“There are 18 local wards in Coventry and 54 councillors. We want the council to reduce the number of councillors in each ward from 3 to 2 and hold elections once every 4 years instead of the current cycle. This will save money and make the council more efficient.”*
- 1.2 Electoral arrangements are set out in law and subject to oversight by certain national bodies. This report sets out the context and factors that would need to be considered should the Council wish to consider seeking any changes to the number of councillors and/or change the pattern of elections.

## **2. Options considered and recommended proposal**

### **2.1 Reducing the numbers of councillors in each ward**

2.1.1 Local authorities have no powers to alter the number of councillors. The Local Government Boundary Commission for England is the independent body responsible for carrying out electoral reviews. An electoral review is an examination of a council’s electoral arrangements covering:

- the total number of councillors elected to the local authority;
- the number and boundaries of wards or divisions for the purposes of the election of councillors;
- the number of councillors for any ward or division of a local authority; and
- the name of any ward or division.

2.1.2 The Commission is responsible for setting its own work programme and may consider carrying out a review of a council for two reasons:

- at the request of the local authority; or
- If the local authority meets the Commission’s intervention criteria:
  - a) If one ward has an electorate of +/-30% from the average electorate for the authority
  - b) If 30% of all wards have an electorate of +/-10% from the average electorate for the authority.

2.1.3 The timeframe for such reviews is normally around 18 months and would involve the commitment of human and financial resources from the local authority to support the review.

2.1.4 While a local authority is able to request a review, the decision on councillor numbers is made by the Boundary Commission which may not recommend any change.

2.1.5 For comparison, the population, number of councillors and ratio for all of the seven West Midlands Metropolitan Councils is shown in Table 1.

**Table 1**

| <b>West Midlands Metropolitan Councils:</b> | <b>Population</b> | <b>Number of Councillors</b> | <b>Population per Councillor</b> |
|---|-------------------|------------------------------|----------------------------------|
| Birmingham                                  | 1,147,290         | 101                          | 11,359                           |
| Coventry                                    | 366,218           | 54                           | 6,782                            |
| Dudley                                      | 319,103           | 72                           | 4,432                            |
| Sandwell                                    | 327,716           | 72                           | 4,552                            |
| Solihull                                    | 214,078           | 51                           | 4,198                            |
| Wolverhampton                               | 260,993           | 60                           | 4,350                            |
| Walsall                                     | 282,302           | 60                           | 4,705                            |

## 2.2 Changing the pattern of elections

2.2.1 Elections to Coventry City Council are by thirds; elections take place three out of every four years with each councillor being elected for a term of four years. Legislation allows for alternative models including whole-council elections. Whole-council elections take place every four years with every seat being up for election at the same time.

2.2.2 The Local Government and Public Involvement in Health Act 2007 (as amended) enables councils to consider moving to whole-council elections from elections by thirds or halves. If a Council is considering passing a resolution for whole-council elections, it has to take reasonable steps to consult such persons as it thinks appropriate on the proposed change. The final resolution must be passed at a meeting specially convened for the purpose of deciding the resolution with notice of the object, and by a majority of at least two thirds of the members voting on it.

2.2.3 If a Council moves from elections by thirds to whole-council elections, it can go back to election by thirds at a later date but cannot not move to elections by halves.

2.2.4 The Council can pass a resolution at any point to move to whole-council elections the only restriction being that the move cannot take place in a fallow year. The next fallow year for Coventry is 2021.

2.2.5 It is anticipated that the introduction of whole Council elections would deliver cost savings over time, although some caution needs to be applied to any estimates as the pattern of other elections to the Police and Crime Commissioner, West Midlands Combined Authority and general elections have a significant impact on cost, and the costs of elements of elections may change over time.

2.2.6 The approximate costs of current elections, together with an estimate of the potential savings that could be achieved should whole council elections be introduced are shown in Table 2. Where elections are combined with national elections the costs are shared depending on the number of polls taking place on the day. It is not an exact split as there are some costs which are needed for each election such as ballot papers. These estimated costs are based on current information, however, if the Police and Crime Commissioner (PCC) and West Midlands Combined Authority Mayor (WMCA) elections were to be combined then the costs would be more and the potential annual savings from any change reduced.

**Table 2**

| Year       | (Local in <b>bold</b> is the assumed year of whole council elections) |               | Cost to council of elections by Thirds | Cost to council of elections by Whole | Accrued savings from move to whole-council by year |
|------------|---|---------------|--|---------------------------------------|--|
| 2020*      | <b>Local</b>  | PCC, WMCA     | £150,000                               | £300,000                              | -£150,000  |
| 2021       |   |               | £0                                     | £0                                    | -£150,000  |
| 2022       | Local   | Parliamentary | £220,000                               | £0                                    | £70,000  |
| 2023       | Local   |               | £440,000                               | £0                                    | £510,000   |
| 2024       | <b>Local</b>  | PCC, WMCA     | £150,000                               | £300,000                              | £360,000   |
| 2025       |   |               | £0                                     | £0                                    | £360,000   |
| 2026       | Local   |               | £440,000                               | £0                                    | £800,000   |
| 2027       | Local   | Parliamentary | £220,000                               | £0                                    | £1,020,000   |
| 2028       | <b>Local</b>  | PCC, WMCA     | £150,000                               | £300,000                              | £870,000   |
| 2029       |   |               | £0                                     | £0                                    | £870,000   |
| 2030       | Local   |               | £440,000                               | £0                                    | £1,310,000   |
| Total Cost |   |               | £2,210,000                             | £900,000                              |  |

*\*Assumed 2020 first year of all out elections, that all existing polls remain eg separate PC and WMCA and that Parliamentary elections remain on the current schedule.*

2.2.7 The introduction of whole-council elections would be a significant change for electors and would require clear information advising them of their ability to select more than one candidate. It would also have an impact on the count process, where the selection of three candidates from the ballot paper would mean the count process would take longer.

### **3. Results of consultation undertaken**

3.1 No consultation has been undertaken in relation to this report. Should either of the options considered be pursued, the processes that would need to be followed include detailed arrangements for the consultation that would be required.

### **4. Timetable for implementing this decision**

4.1 Should either of the options considered be pursued, detailed timetables would need to be developed to follow required processes.

### **5. Comments from Director of Finance and Corporate Resources**

#### **5.1 Financial implications**

There are no direct financial implications arising from the initial decision on how to respond to the issues raised in the petition. Should Council take the decision to hold local elections on a four year cycle, this could save the Council in the region of £100,000 on an annualised basis. The outcomes of any review carried out by the Boundary Commission may not result in a reduction in the number of councillors and in this case would not deliver a financial saving.

#### **5.2 Legal implications**

When the Local Government Boundary Commission conduct electoral reviews they must adhere to certain rules. The main piece of legislation is the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). This consolidates and amends provisions previously contained in the Local Government Act 1972, the Local Government Act 1992 and the Local Government and Public Involvement in Health Act 2007.

The requirements for local authorities to make changes to their electoral arrangements are set out in the Local Government and Public Involvement in Health Act 2007 (LGPIH Act 2007) as amended by the Localism Act 2011.

**6. Other implications**

**6.1 How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?**

Not applicable

**6.2 How is risk being managed?**

Not applicable

**6.3 What is the impact on the organisation?**

Not applicable

**6.4 Equalities / EIA**

Not applicable

**6.5 Implications for (or impact on) the environment**

None

**6.6 Implications for partner organisations?**

None

**Report author(s):**

**Name and job title:**

Adrian West, Members and Elections Team Manager

**Directorate:**

Place

**Tel and email contact:**

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Enquiries should be directed to the above person.

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|--|---|------------------------------------|--------------------------|---|
| <b>Contributors:</b>   |   |                                    |                          |   |
| Michelle Rose  | Governance Services Officer                 | Place                              | 12/12/18                 | 13/12/18                                  |
| Liz Read   | Electoral Services Manager                  | Place                              | 12/12/18                 | 14/12/18                                  |
| Martin Reeves  | Chief Executive                             |                                    | 12/12/18                 | 17/12/18                                  |
| <b>Names of approvers for submission: (officers and members)</b> |   |                                    |                          |   |
| Finance: Paul Jennings   | Finance Manager (Corporate Finance)         | Place                              | 12/12/18                 | 19/12/18                                  |
| Legal: Gill Carter   | Team Leader (Regulatory)                    | Place                              | 12/12/18                 | 19/12/18                                  |
| Director: Barry Hastie   | Director of Finance and Corporate Resources | Place                              | 12/12/18                 | 19/12/18                                  |
| Members: Cllr A S Khan   | Cabinet Member for Policing and Equality    |                                    | 17/12/18                 | 17/12/18                                  |

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Cabinet Member for Policing and Equalities

10<sup>th</sup> December 2018

**Name of Cabinet Member:**

Cabinet Member for Policing and Equalities - Councillor A S Khan

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

St Michael's

**Title:**

**Response to a petition relating to Anti- Social Behaviour at Cephas Court Hillfields**

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**Is this a key decision?**

No

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**Executive Summary:**

A petition of 15 signatures, sponsored by Councillor Jim O'Boyle St Michael's Ward Councillor, reporting that Anti-social behaviour issues associated with Cephas Court are having a detrimental impact on residents and the wider community.

The petition specifically mentions acts of alleged drug dealing, property damage, forced entry to communal areas and access doors, use of drugs and other substances.

This report details actions taken by the City Council and West Midlands Police.

**Recommendations:**

The Cabinet Member is recommended to:-

1. Encourage residents of Cephas Court to report incidents of concern to Police, Orbit Housing Group and the Council as soon as they occur.
2. Request West Midlands Police, Orbit Housing Group and Council officers to continue their monitoring of the area and respond accordingly to residents requests for assistance.

**List of Appendices included:**

None

**Background papers:**

None

**Other useful documents**

None

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

**Report title:**

**Response to a petition relating to Anti- Social Behaviour at Cephass Court Hillfields**

**1. Context (or background)**

- 1.1 In October 2018, a petition signed by 15 people was received by the Council requesting that we look at the ongoing issues at Cephass Court and look to tackle the issues surrounding the building and the impact the issues raised in the petition is having on the residents of Cephass Court and the wider community.
- 1.2 The petition highlights residents' concerns with regards to alleged drug dealing, property damage, forced entry to communal areas and access doors, use of drugs and other substances.
- 1.3 Anti-social and criminal behaviour. The main issue concerned a spate of ongoing incidents during 2018, during which some local resident's witnessed the main entry door being vandalised to gain entry and using the communal areas to use drugs, by unknown persons. Coventry City Council's recorded data regarding Antisocial Behaviour from 1<sup>st</sup> January 2018 to 1<sup>st</sup> December 2018 shows;
- 1.4 2 reports directly related to Cephass Court logged with the City Council for various issues. Only one of these calls related to the issues raised in the petition – (6<sup>th</sup> June 2018 reporting unsightly land / fly tipping) the other report (19<sup>th</sup> November 2018 reporting drug misuse) which council officers passed to the Police.
- 1.5 Police data for the same period shows a total of 33 logs for Cephass Court. A large proportion of these logs relate to criminal damage, reporting of drug taking, smashed windows, gaining entry to the building via breaking the fire door and main doors.

**2. Options considered and recommended proposal**

- 2.1 In response to the petition, officers from the Council have made contact with the lead petitioner. Via telephone and email on 13<sup>th</sup> December 2018.  
  
West Midlands Police, Orbit Housing Group and the Council are monitoring the situation. Extra patrols take place as duties allow and individuals found to be causing issues are challenged and appropriate action taken. From a housing perspective Orbit Housing Group have responsibilities to manage the Anti-social Behaviour in their building and land.
- 2.2 Orbit Housing Group have written to the petition spokesperson outlining some of the remedial steps that they have taken in response to the issues raised. Orbit Housing Group and the Police have been invited to attend this Cabinet Member meeting.
- 2.3 In taking this matter forward the following recommendations are made to Cabinet Member:
  - 2.3.1 Request West Midlands Police, Orbit Housing Group to continue their monitoring of the area and respond accordingly to residents request for assistance around any reported issues.
  - 2.3.2 Encourage residents to report all issues to the relevant agencies, so that evidence may be gathered to assist agencies in looking at a resolution to the issues raised in the petition.

**3. Results of consultation undertaken**

- 3.1 Officers have been in regular contact with the lead petitioner.

#### **4 Timetable for implementing this decision**

- 4.1 Officers from the Council and the Police and Orbit Housing Group will monitor the area and meet with residents when needed. A meeting shall be arranged with the ward councillors to visit the site to take a look at the issues and to speak to residents about their concerns.

#### **Comments from Director of Finance and Corporate Services**

##### **5.1 Financial implications**

There are no financial implications arising from this report, all costs will be met from core budgets.

##### **5.2 Legal implications**

The Council has powers to try to address anti-social behaviour through the Anti-social Behaviour, Crime and Policing Act 2014 dependant on the type of behaviour and the available evidence.

##### **6 Other implications**

None

##### **6.1 How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?**

###### **Crime and Disorder**

Tackling crime and anti-social behaviour through partnership working is central to the delivery of the Council Plan in improving the quality of life for Coventry people by making communities safer and our city cleaner and greener.

##### **6.2 How is risk being managed?**

See paragraph 4.1 above.

##### **6.3 What is the impact on the organisation?**

None

##### **6.4 Equalities / EIA**

N/A

##### **6.5 Implications for (or impact on) the environment**

The Council has a zero tolerance approach to littering and fly tipping. Where evidence is available, Council officers will take legal action against the perpetrators.

##### **6.6 Implications for partner organisations?**

None

**Report author(s):** Lee Millar

**Name and job title:** Street Enforcement Manager  
**Directorate:** Place Directorate

**Tel and email contact:** 02476 831855  
lee.millar@coventry.gov.uk

| <b>Contributor/approver name</b>                                 | <b>Title</b>                             | <b>Directorate or organisation</b> | <b>Date doc sent out</b> | <b>Date response received or approved</b> |
|--|--|------------------------------------|--------------------------|---|
| <b>Contributors:</b>   |  |                                    |                          |   |
| Craig Hickin   | Head of Environmental Services           | Place Directorate                  | 14/12/2018               | 14/12/2018                                |
| Graham Hood  | Head of Streetpride and Greenspaces      | Place Directorate                  | 14/12/2018               | 17/12/2018                                |
| Michelle Rose  | Governance Services Officer              | Resources Directorate              | 14/12/2018               | 14/12/2018                                |
| <b>Names of approvers for submission:</b> (officers and members) |  |                                    |                          |   |
| Finance: Cath Crosby   | Lead Accountant                          | Resources Directorate              | 14/12/2018               | 21/12/18                                  |
| Legal: Gill Carter   | Regulatory Crime & Licensing Lawyer      | Resources Directorate              | 14/12/2018               | 21/12/18                                  |
| Andrew Walster   | Director                                 | Place Directorate                  | 14/12/2018               | 17/12/2018                                |
| <b>Members: Name</b>   |  |                                    |                          |   |
| Cllr Abdul Khan  | Cabinet Member for Policing & Equalities |                                    | 18/12/2018               | 02/01/19                                  |
|  |  |                                    |                          |   |

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**Appendices: Letter from Orbit Housing Group to Lead Petitioner outlining their actions at Cephass Court.**

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Cabinet Member for Policing and Equalities

10th January 2019

**Name of Cabinet Member:**

Cabinet Member for Policing and Equalities - Councillor A S Khan

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

**Tile Hill**

**Title:** Petition – Measures to prevent illegal encampments at the Ponderosa, off Jardine Crescent, Tile Hill,

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**Is this a key decision? : No**

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**Executive Summary:**

This report responds to a petition submitted by Councillor Male a Woodlands Ward Councillor and requests that the Council undertake all necessary measures to ensure that the Ponderosa, otherwise known as Jardine Crescent Sports Ground, off Jardine Crescent, Tile Hill, is made secure in order to prevent further illegal encampments..

The petition reads:

“We the undersigned call upon Coventry City Council to undertake all necessary measures to ensure that the Ponderosa, off Jardine Crescent, Tile Hill, is made secure in order to prevent further illegal encampments.”

This petition relates to an area of land known as the Ponderosa which lies adjacent to Jardine Crescent in Tile Hill. The site is managed by the Councils Greenspace Service and is approximately 38,012 square metres or 3.81 hectares in size and contains several football pitches and an associated changing rooms. The changing rooms are leased to Mount Nod FC who use the pitches as their home ground.

Approximately 3 years ago the City Council's Streetpride & Green Space Service created a line of ditches and mounds along areas of the site's periphery as a defence to prevent unauthorised traveller incursions. Despite a vehicle access gate being installed at the same time, some localised flattening of the mounds seems to have taken place. This allowed an unauthorised traveller incursion onto the site in 2018. Subsequently the mounding has been bolstered and no further such incursions have occurred.

**Recommendations:**

The Cabinet Member for Policing and Equalities is recommended to:

1. Consider the content of the petition and note the concerns of the petitioners'
2. Note that action has been taken to bolster the ditching and mounding around open space and that no further unauthorised incursions have taken place since
3. Agreement has been made with the local football club and keys supplied to allow access by the club to the site via a vehicular gate to prevent further damage to the mounding.
4. Note that the Council's Streetpride Service consider the defences adequate.

**List of Appendices included:**

None

**Other useful background papers:**

None

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel, or other body?**

No

**Will this report go to Council?**

No

Report title: **Petition** - . Measures to prevent illegal encampments at the Ponderosa, off Jardine Crescent, Tile Hill,

## **1. Context (or background)**

- 1.1. This petition relates to an area of land known locally as The Ponderosa or more formally as Jardine Crescent Sports Ground, which lies off Jardine Crescent in Tile Hill. The site is managed by the Council's Greenspace Service and is approximately 3.81 hectares in size. It contains several football pitches and associated changing rooms which are leased to Mount Nod FC who use the pitches as their home ground.
- 1.2. Approximately 3 years ago the City Council's Streetpride and Green Space Service created a line of ditching and mounding along much of the site's periphery as a defence to prevent unauthorised traveller incursions. We have found that such ditching and mounding to be one of the most effective methods of preventing such incursions.
- 1.3. In May 2018, the area of green space suffered an unauthorised incursion by travellers. It was found that a resident football club had been accessing the site with their vehicles over a long period of time by driving over the mounds and ditches. This had in one location flattened the defences and had consequently allowed the travellers the opportunity to gain access onto the site.
- 1.4. Immediately following the removal of the travellers, action was taken to bolster the site's boundary defences to prevent any further unauthorised access onto the site. Following discussions with the football club a key was issued allowing the club to gain access to the site via a locked gate (with height barrier).
- 1.5. Since the re-establishment and bolstering of the defences there have been no further incursions onto the park.

## **2. Options considered and recommended proposal**

The option to do nothing has been considered and we will continue to maintain and review the existing defences to ensure that as far as can practicably be achieved within the existing resources, unauthorised incursions onto the site will be restricted and or prevented in the future

## **3. Results of consultation undertaken**

No consultation has taken place on this issue

## **4. Timetable for implementing this decision**

- 4.1 To be agreed subject to approval of a recommendation within this report

## **5. Comments from the Director of Finance and Customer Services**

### **5.1 Financial implications**

The requirement to maintain traveller defences at the Ponderosa will be met from the existing Greenspace Service budgetary revenue resources.

### **5.2 Legal implications**

There are no legal implications

**6. Other implications**

None

**6.1 How will this contribute to achievement of the Council's Plan?**

Parks and green spaces are highly valued by the citizens of Coventry and contribute greatly to improving the quality of life to those that live and work in the City, help address health inequalities and provides valuable wildlife habitats. Deterring misuse by proactive capital work prevents even more costly repairs in the future.

**6.2 How is risk being managed?**

Risk will be managed through the existing Place directorate risk profile.

**6.3 What is the impact on the organisation?**

Continued maintenance of the site will be delivered using existing resources.

**6.4 Equalities / EIA Implications for (or impact on) the environment**

No equality impact assessments have been undertaken.

**6.5 Implications for (or impact on) the environment**

No direct impact

**6.6 Implications for partner organisations?**

None

**Report author(s):**

**Name and job title: Graham Hood, Head of Streetpride and Greenspace**

**Directorate: Place**

**Tel and email contact: 0247683 2194 [graham.hood@coventry.gov.uk](mailto:graham.hood@coventry.gov.uk)**

Enquiries should be directed to the above person.

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|----------------------------------|--|------------------------------------|--------------------------|---|
| <b>Contributors:</b>             |  |                                    |                          |   |
| Cath Crosby                      | Accountant (Business Partner)<br>Place Directorate (Finance) | Resources                          | 13 <sup>th</sup> Dec 18  | 18 <sup>th</sup> Dec 18                   |
| Gill Carter                      | Team Leader, (Regulatory) ,<br>Legal Services                | Resources                          | 13 <sup>th</sup> Dec 18  | 18 <sup>th</sup> Dec 18                   |
| Michelle Rose                    | Governance Services co-                                      | Place                              | 15 <sup>th</sup> Dec     | 6 <sup>th</sup> Dec 18                    |

|   |   |       |                         |                         |
|---|---|-------|-------------------------|-------------------------|
|   | ordinator   |       |                         |                         |
| <b>Names of approvers for submission:</b><br>(officers and Members) |   |       |                         |                         |
| Andrew Walster  | Director<br>(Streetscene<br>and Regulatory<br>Services) | Place | 18 <sup>th</sup> Dec 18 | 19 <sup>th</sup> Dec 18 |
| Councillor Abdul Khan   | Cabinet Member<br>for (Policy and<br>Equalities)        | -     | 15 <sup>th</sup> Dec 18 | 15 <sup>th</sup> Dec 18 |

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Cabinet Member for Policing and Equalities

10<sup>th</sup> January 2019

**Name of Cabinet Member:**

Cabinet Member for Policing and Equalities - Councillor A S Khan

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

Foleshill

**Title:** Extension of Public Space Protection Order for Edgwick Park

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**Is this a key decision?**

No

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**Executive Summary:**

An application is being made to extend the existing Public Space Protection Order (PSPO) for Edgwick Park.

A PSPO was granted for Edgwick Park on 22<sup>nd</sup> April 2016. The order was created to address concerns at the park regarding Child Sexual Exploitation, exacerbated by drugs, alcohol and anti social behaviour.

The order gave agencies powers to request that groups in the park that were felt to be acting in a manner to the detriment of other park users, if they refuse to leave they will be committed an offence and liable to enforcement, either a Fixed Penalty Notice (FPN) or a summons to court.

Whilst the order has not entirely eliminated incidents of anti social behaviour, mainly due to the difficulty of consistently dedicating resources to patrol, having the PSPO gives officers powers to deal with issues quickly and effectively. Were the order to expire this would make enforcement at the park far harder than it currently is.

**Recommendations:**

The Cabinet Member is recommended to:-

- (1) Note the draft order attached to this report and agree to renew the existing order for a period of three years from the date when the current order expires
- (2) Request that all partner agencies continue their current actions and patrol plans and also monitor the surrounding areas for any potential displacement of the issues.

**List of Appendices included:**

Appendix 1 – Proposed draft order for Edgwick Park

Appendix 2 – Impact statements

**Background papers:**

None

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

## **Report title: Proposed Public Space Protection Order for Edgwick Park**

### **1. Context (or background)**

- 1.1 Edgwick Park is a relatively small park located in the Foleshill ward. It is bounded by the Foleshill Rd, Eld Road and Cross Road. There is a primary school, Edgwick Community Primary School that is located within the park. The park has a children's play area and the park itself is particularly intended to be a community park where families with children will come to use the facilities.
- 1.2 In the residential areas surrounding the park it is acknowledged that there are a higher than average number of houses where often groups of males are living in very crowded properties. As a result, these properties often have no communal areas within them and as such the occupants will often leave the properties in the evening.
- 1.3 Occasionally there are groups of males noted as congregating in the park. Often people are noted drinking alcohol in the park, the presence of alcohol cans and similar littering the park and found within bins confirms this. The whole of the City of Coventry is covered by a Designated Public Place Order (DPPO) This order does not make it an offence to drink alcohol in public, but it does mean that someone commits an offence if they do not surrender any opened container of alcohol to a Police officer should they request them to do so.
- 1.4 Local residents still express concern from time to time about gatherings of groups in the park. Primarily these groups congregate because of their living conditions outlined in 1.2 Whilst it is felt that the risk and incidents regarding CSE has greatly reduced it is not something agencies can be complacent about. It is still felt that the presence of such groups is a deterrent to others from using the park as regularly as they would otherwise.
- 1.5 Patrols to the park from several agencies have been increased. Whilst those patrols are not as regular as when the concerns were initially received it is still a location that Police and support workers from agencies such as Horizon (CSE) and similar attend and speak to individuals and groups.
- 1.6 There have been physical alterations in and around the park to address matters. Significant amounts of vegetation and undergrowth have been cut back and a toilet block has been demolished. This has decreased the locations where it was felt there was potential for activities that would cause concern.

### **2 Options considered and recommended proposal**

- 2.1 The Council could extend the existing Public Space Protection Order (PSPO) under the Anti-Social Behaviour, Crime and Policing Act 2014 to prohibit congregations or specific behaviours within the park. Breach of such an order could result in a person being issued with a fixed penalty notice up to the value of £100. Should someone continually breach or if the breach is felt to be serious enough then the matter could be referred to court where an increased fine or custodial sentence could be passed.
- 2.2 It should be noted the use of a PSPO is intended to be an additional tool for officers to use to manage situations that could potentially escalate. The order in itself is not going to solve any particular issue on its own, that will often need a number of different methods, used jointly. The order will be valid for a period of three years and can be further extended or amended, providing due process is followed.

2.2 The existing PSPO could be allowed to expire and no further action taken. This option is not recommended. As previously stated, the fact a PSPO is in place is not enough on its own to solve all issues at the park, but it is an important tool for officers to use, and is effective immediately

2.3 Cabinet Member is recommended to:

(1) Note the draft order attached to this report and agree with the rationale for extending the order.

(2) Request that all partner agencies continue their current actions and patrol plans and also monitor the surrounding areas for any potential displacement of the issue.

### **3 Results of consultation undertaken**

3.1 As the PSPO is already in place following an extensive consultation exercise, the renewal requires us to consult with key local partners and agencies. We consulted with West Midlands Police, Parks and Greenspace colleagues and the adjoining primary school. Their responses can be seen in appendix 2.

3.2 All consultees were in agreement that the existing PSPO has been effective in reducing instances of Anti Social Behaviour in the park and whilst not completely solving issues, a renewal of the order is recommended by all respondents.

### **4 Timetable for implementing this decision**

4.1 Once approved there will need to be a draft order publicised at the site for up to 30 days and notification published on appropriate Council websites. Following that process the order can be implemented and operational.

4.2 Patrols and patrol plans are already in place for the location and will be continuing.

### **5 Comments from Executive Director of Resources**

#### **5.1 Financial implications**

There are not believed to be any financial implications for renewal of the order or any expenditure will come from existing budgets

#### **5.2 Legal implications**

The renewal of the order will not have any additional legal implications.

### **6 Other implications**

None

#### **6.1 How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?**

##### **Crime and Disorder**

Tackling crime and anti-social behaviour through partnership working is central to the delivery of the Community Safety Plan and Strategic Assessment 2015/16.

## 6.2 How is risk being managed?

Officers from several agencies continue to monitor the area.

## 6.3 What is the impact on the organisation?

None

## 6.4 Equalities / EIA N/A 6.5 Implications for (or impact on) the environment

The purpose of taking action to address behaviours in the park should increase usage of the park for legitimate purposes, in an attempt to improve the environment and wellbeing of the community.

## 6.5 Implications for partner organisations?

The multi-agency action plan outlines the individual and collective commitments from agencies to respond to the issues raised.

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### Name and job title:

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| Graham Hood  | Head of Street Pride and Green Spaces | Place                       | 3 <sup>rd</sup> Dec 2018 | 4 <sup>th</sup> Dec 2018           |
| Michelle Rose  | Governance Services Officer           | Resources                   | 3 <sup>rd</sup> Dec 2018 | 3 <sup>rd</sup> Dec 2018           |
| <b>Names of approvers for submission: (officers and members)</b> |                                       |                             |                          |                                    |
| Finance: Cath Crosby   | Lead Accountant                       | Resources                   | 3 <sup>rd</sup> Dec 2018 | 3 <sup>rd</sup> Dec 2018           |
| Legal: Gill Carter   | Senior Solicitor                      | Resources                   | 3 <sup>rd</sup> Dec 2018 | 4 <sup>th</sup> Dec 2018           |
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| Martin Yardley   | Executive Director                    | Place                       | 3 <sup>rd</sup> Dec 2018 | 3 <sup>rd</sup> Dec 2018           |
| Members: Name  |                                       |                             |                          |                                    |

|              |  |  |                             |                          |
|--------------|--|--|-----------------------------|--------------------------|
| Cllr A. Khan | Cabinet Member<br>Culture, Leisure,<br>Sports and<br>Parks |  | 3 <sup>rd</sup> Dec<br>2018 | 3 <sup>rd</sup> Dec 2018 |
|--------------|--|--|-----------------------------|--------------------------|

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## Appendix 1

### COVENTRY CITY COUNCIL PUBLIC SPACES PROTECTION ORDER EDGWICK PARK ANTI-SOCIAL BEHAVIOUR

The Council of the City of Coventry (“the Council”) hereby makes the following Public Spaces Protection Order (Edgwick Park Anti-Social Behaviour) under Sections 59 to 75 of the Anti-social Behaviour, Crime and Policing Act 2014.

1. This Order shall come into operation on 22<sup>nd</sup> April 2019 and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Council’s statutory powers.
2. This Order relates to Edgwick Park and the bordering streets.
3. The purpose of this order is to prevent any activities associated with Child Sexual Exploitation and any other type of anti-social behaviour in the Designated Area including but not limited to fighting, drinking alcohol, drug taking and dealing, urinating and littering. The Council makes this Order because it is satisfied on reasonable grounds that groups of people within the Designated Area are and have carried out anti-social activities including the procurement of young girls for sex. These activities are persistent and continuing and have resulted in members of the community feeling intimidated and unsafe.
4. The effect of this Order is to prohibit the congregation of groups of 2 or more persons in the Designated Area where the behaviour of some or all members of the group has or is likely to have a detrimental effect on the quality of life of those in the community.

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## **Appendix 2 – Impact Statements**

Please find below a review of the existing Public Spaces Protection Order (PSPO) that is currently operational in Edgwick Park. I believe it highlights the good work that has occurred at the location since the introduction of the PSPO and reasons as to why I believe renewing the order would be the correct decision to make.

Following the consultation and partnership working we were able to make the following improvements to the park in early 2016 and during the early stages of the PSPO going live in April 2016.

- Removed a brick build dilapidated toilet block that was littered with used needles.
- Removed a metal shelter where youths were congregating under and causing low level ASB.
- Additional CCTV. (In centre of park to add to the one to the front of the park)
- Additional Lighting.
- Increase in patrols.
- Working closer with partners in LA to educate all re potential CSE.
- Bushes cut back to give a greater view of some of the secluded, wooded areas.

Upon the PSPO going live it would not be an exaggerated statement to say that my team use it frequently to remove people from the park that are deemed to be acting in a manner that can be deemed by us (or a member of the public) to be detrimental to other persons in the park. We have moved on well over 100 people in the last 3 years which is to the benefit of the park goes in the Foleshill area

The great element about the power this PSPO affords the Police and Local authority is that the persons being moved on get the message straight away and do not dare return to the park to commit further issues as they know they would then be processed for being in breach of the PSPO. To date we have moved on well over 100 (as previously stated) but we have not had cause to ticket anyone for breaching the PSPO.

Some of the main questions re the PSPO.

*For what reasons do we remove people from the park?*

A question that I get asked from time to time when talking about the park. The answer is for a multitude of reasons but to highlight the main ones I would say: -

- Drinking
- General ASB
- Smoking Cannabis (but not found on their person)

CSE was a real concern (and obviously remains a concern for us all) in the park when we implemented the PSPO but having policed the park for the last three years I am pleased to report that we have not recorded any offence of a CSE nature during this time. Staff in Policing and Local Authority we all educated re what to look out for and I feel sure if we had noted anything of concern we would have recorded it. I do not recall a call from any member of the public re any CSE concerns in the park either.

### *When have we moved the most people on from the park?*

Summer. In the Summer the park is at its busiest. Due to the warm weather and lighter nights we have had cause to move people on late on into the evening. The busiest time is between 6pm and 10pm when we are on lates however we have and continue to move on people drinking and smoking in the daytime.

In the winter we find the footfall drops within the park thus we naturally move on less people.

### *Are we seeing repeat offenders?*

Surprisingly not. My brief to my team was to always ask the offending person or group to leave, pointing out the PSPO and explaining the reason why we believe they are in breach of the order. We then give them a chance to leave or we will report them. This method has never failed. On a couple of occasions we have had some 'back chat' but they leave as they know if they don't they will be fined for their continued poor behaviour.

One of my big concerns re the order was that we obviously needed to have a boundary. My concerns were that the offenders would just cross the road and continue to behave in a manner that had them ejected from the park. This surprisingly has never happened that I am aware of. The offending person or group normally leave the area completely.

We have obviously moved on people that have returned to the park at a later date or time. The good news to report here is that they do not continue with their behaviour thus the PSPO is having a positive impact on that person and/or group. The offenders also see that we are not banning them completely, they are free to use the park like everyone else but we have standards of behaviour whilst you are in the park. Again evidence that the PSPO is working in this location.

### *Is the park now crime and ASB free?*

Sadly I can't boast this. We still see crime and disorder in and around the park. The PSPO is a tool in our tool kit to restrict poor observed or heard behaviour in the park but it doesn't solve everything. This summer during the hot weather we did see a spike in personal robberies in and around the park being committed by a group of males late at night (after the patrolling neighbourhood teams go home – 11pm). Officers changed their shifts, worked OT in a bid to stop this and catch the offending males. A number of robbery arrests were made across the city (as the Robberies were not solely in Foleshill) and the robbery issue was resolved in the park.

Recently Colleen Fletcher MP for Coventry North East raised concerns that had been communicated to her from students at St Elizabeth's Primary School (located very close to the park). Their concerns were that they didn't use the park as they didn't feel safe there.

Obviously this news is disappointing to hear as my team and I have worked hard to promote the park and I can say without hesitation that this park is without doubt the most patrolled area on my patch (Foleshill) but I think it's clear we have to continue to work hard and ensure our children feel safe using the park. I suspect that it's the 'fear of crime' rather than crime itself that is fuelling this fear but I will continue to do all I can to ensure my community feel safe in this park and in the City.

### The Foleshill Family Hub

Last year saw the introduction of the family hub in Foleshill. This is situated within the park and houses a number of Local Authority workers. The introduction of this facility has been a positive impact for the park as we have staff working within the location thus they are able to inform us of any detrimental behaviour they are hearing or observing. My staff visit the location on a regular basis and we have a good working relationship.

### Continued Work

This year, similar to previous years has seen the park well used by the local community. In the summer the park was packed with families having picnics, young person's playing cricket and football, dog walkers and children using the playground(s). Sport in the park took place again and was a big success in early August pulling a big crowd. We also had prayers for Eid and other social events held without incident in the park.

Broad Street Meeting Hall staff has been able to successfully apply of a grant to continue the work we have all been doing in the park into 2019. Andy Duncan recently emailed Foleshill stakeholders this good news and we will all be getting together in the New Year to discuss plans and the best way to spend the money to ensure it benefits all who use the park.

### Conclusion

Whilst it is concerning that local kids still feel unsafe in the park, it acts as a timely reminder that we need to continue to police and promote the park at every opportunity. The PSPO has been a great asset to the Police, Local authority and the law abiding community in Foleshill during the last three years and in order to continue the work we all have contributed to I would like to see the PSPO remain in place with no changes or amendments. I fear that should we not renew the PSPO we would see an increase in ASB and other poor behaviour that has blighted the park in the past.

Sgt 9183 Asa Morris  
Foleshill Neighbourhood Supervisor  
Coventry NPU

Statement concerning Edgwick Park.

I have been here at Edgwick Community Primary School for 13 Years and Headteacher for the last 2.

As stated in our last letter, the School adjoins Edgwick Park and over the last 10 years especially, the level of antisocial behaviour in the park on a daily basis, often from as early as 8am, has become more frequent and more extreme.

We have a clear view into the park and equally there is a clear view into our premises from the other side of the fence. These two way views are now even clearer, as our new school building looks directly towards the park from every classroom.

Since we moved into the new building 3 years ago, the park has benefitted from the PSPO conditions applied to it.

We do still witness large groups of men congregating between the school and a local nursery, where they drink and smoke cannabis (a strong smell pervades our playground on a daily basis), rubbish-cans, bags, needles, etc- by our school fence, but this is to a lesser extent than before the order was applied.

Men and women still urinate (and foul) against the fence in full view of the children and language is still an issue but the PSPO has been a considerable step forward in the management of this in collaboration with our local police.

I would, without reservation support the extension of the PSPO in order to further tackle these ongoing issues that affect the pupils of this school and their families.

Continued and strengthened collaboration under the PSPO with the local police is the only way forward, and without it, the risk of our pupils being exposed to more and more inappropriate and unacceptable behaviour only increases.

Sally Snooks  
Headteacher

## Edgwick Park PSPO

The PSPO for the Park was introduced in 2016 due to persistent issues with Anti-Social behaviour in the form of Drinking, Drug dealing / use, damage to play equipment and other items as well as CSE.

There have been some positive results from having the PSPO in place in the past 2 years, such as a good reduction in issue with CSE and a small reduction in levels of drinking and drug dealing but the latter two in particular as well as damage to facilities are still an issue

There are still daily problems around drinking in the park, with at times up to 8-10 adults (men and women), hanging around the park drinking alcohol.

There is also the issue with drinkers urinating and defecating near to the family centre and fence near to the flats at Culworth Court, as well as to the rear of the Community Centre.

This also leads to issues with littering around the areas the drinkers congregate

The drinkers tend to congregate near the local school, Edgwick Primary School, as well as near the children's nursery and Foleshill Family Centre which can make it very intimidating for legitimate park users, as well as for visitors to these three places, particularly as they are all sites with young children.

Some of the drinkers have been known to beg for drinking money, I have been approached by some of them in the past asking for "change".

The drugs problem is still apparent and the dealers are usually seen in the park most days and are usually found standing around to the rear of the family centre. Again this can be very intimidating for legitimate park users

In July 2018, one of the items of play equipment was set on fire causing damage costing around £5000, there are also regular issues with glass being broken in the park.

The following paragraph is taken from a briefing a consultant is preparing to apply for funding for improvements to the park, which sums up local residents current feelings about the park

***"Edgwick Park, is perceived by residents as a no-go area for many Foleshill people for fear of encountering unpleasant or intimidating activity (e.g. Drinking, rough sleeping, drug dealing, needles, prostitution, anti-social behaviour, gangs). At Friends of Foleshill meetings, community celebrations in the park (e.g. Sport in the Park, Communities of Light) and consultation events involving hundreds of people over the past three years, we asked visitors and residents about key issues. They have repeatedly mentioned their reluctance to visit Edgwick Park, except for organized events, because they do not feel safe. Parents say they discourage their children from going to the park unless accompanied by an adult".***

For these reasons we would like to PSPO to be continued and regularly enforced by colleagues in the Police.

Andrew Beechey, Parks Development Officer

Cabinet Member for Policing and Equalities

10<sup>th</sup> January 2019

**Name of Cabinet Member:**

Cabinet Member for Policing and Equalities - Councillor A S Khan

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

All

**Title: Drone Policy and Police Drone Permission**

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**Is this a key decision? : No**

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**Executive Summary:**

This report is to consider the adoption by the Council of a Drone/ Unmanned Aerial Vehicle Policy in relation to its land and grant the West Midlands Police permission to use Council land for the launch and landing of drones in order to prevent and detect crime and maintain public safety.

**Recommendations:**

The Cabinet Member for Policing and Equalities is recommended to:

1. Adopt the Drone and Unmanned Aerial Vehicle Policy at Appendix 1.
2. Consider and delegate authority to the Director, Streetscene and Regulatory Services to sign the Drone and Unmanned Aerial Vehicle Permission to West Midlands Police at Appendix 2.
3. Agree the Drone and Unmanned Ariel Vehicle ("UAV") Permission at Appendix 3 and the charge associated with this of £50.00

**List of Appendices included:**

Appendix 1: Drone and Unmanned Aerial Vehicle ("UAV") Policy.

Appendix 2: Drone and Unmanned Aerial Vehicle ("UAV") Permission for West Midlands Police

Appendix 3: Drone and Unmanned Aerial Vehicle ("UAV") Permission

**Other useful background papers:**

None

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel, or other body?**

No

**Will this report go to Council?**

No

Report title: **Drone Policy and Police Drone Permission**

## **1. Context (or background)**

- 1.1 Over the last few years a number of concerns have been raised about the flying of drones in both residential areas and in open spaces including parks. The concerns are about the nuisance caused by the noise of drones; privacy due to drones carry surveillance equipment and the potential danger they could cause to wildlife, animals and people particularly when landing. Advice has been supplied to residents stating that any problems with drone flying should be reported to the Police and the Council's Community Safety Team who would carry out an investigation. Council officers have asked drone flyers in parks to stop their activities.
- 1.2 However the Council does not have a drone policy and to date has dealt with any matters using vehicle and nuisance prohibitions contained in the Council's Byelaws for Pleasure Grounds 1962. Due to a growing number of issues with this type of activity it now appears appropriate to adopt a drone policy to prohibit their general use on Council land and regulate their specific use such as for some police and professional or commercial operations. Other Councils have adopted similar policies.
- 1.3 The Council was contacted by the West Midlands Police in 2018 requesting permission for Council land to be used for the launching and landing of police drones in order to prevent and detect crime and maintain public safety. The Force Drone Team for West Midlands Police has stated that the operation of drones supports the reduction in local crime, helps to reduce anti-social behaviour and assists in evidence gathering to support prosecutions. It helps to tackle issues such as quad biking in public areas, drug dealing, vehicle crime and suspect searches. Other West Midlands councils have already granted conditional permissions to the police to carry out this activity.

## **2. Options considered and recommended proposal**

- 2.1 An option would be to have drone activity unregulated in parks and allow hobbyists unrestricted access to Council land to fly their drones as they chose. The Council is aware that drone activity causes a nuisance to other park users and concerns residents due to potential surveillance activity. Flying drones could also cause a health and safety hazard to both people and animals. As a land owner and operator the Council is likely to be held liable for any damage caused to people or property as a result of it allowing the flying of drones in its parks and open spaces.
- 2.2 A second option would be to leave the situation as it is with drone operators being advised by Council officers of the vehicle and nuisance prohibitions contained in the Council's Byelaws for Pleasure Grounds 1962. This does not present a clear position for the public about the use of drones and does not deal with any exceptions which the Council may wish to grant for example for the police or commercial activities.
- 2.3 The proposed option is to adopt a Drone Policy for Council owned and controlled land which would give clear guidance on the use of drones. If this was not followed the Council would be able to ask people to leave its property if they were flying unauthorised drones or

UAVs. The Drone Permission for the West Midlands Police would allow the police to use drones on Council land without gaining permission from the Council each time they wished to carry out an activity. The general Drone Permission would allow professional and commercial organisations to use Council land for flying drones under strict regulation and with the appropriate public liability insurance. There would be a charge of £50.00 for the permission and an additional charge for any photography undertaken to cover administrative expenses.

### **3. Results of consultation undertaken**

No consultation has taken place on this issue

### **4. Timetable for implementing this decision**

4.1 To be agreed subject to approval of a recommendation within this report

### **5. Comments from the Director of Finance and Customer Services**

#### **5.1 Financial implications**

The proposed charge associated with granting permission for drone and UAV usage has been set to recover the cost to the Council of administering the request. It is not possible to estimate the number of requests and therefore income: this will be monitored during the first year of the policy.

#### **5.2 Legal implications**

The regulations for recreational drone flights are contained within the Air Navigation Order 2016 (ANO) (as amended) made under the Civil Aviation Act 1982, which is the primary document for all aviation regulations within the UK. In relation to small drones with a mass of 20kg or less operators who use them for aerial work purposes and those equipped with data acquisition and/ or surveillance capabilities must obtain permission from the Civil Aviation Authority before commencing a flight within a congested area or in the proximity of people or property not under their control. Otherwise a drone operator can fly a drone if it is in a safe manner, within 400 feet of the surface and not within a Flight Restriction Zone.

As a landowner the Council could be held liable for activities that take place on its property.

### **6. Other implications**

None

#### **6.1 How will this contribute to achievement of the Council's Plan?**

N/A

#### **6.2 How is risk being managed?**

Council officers and the public will be made aware of the Drone Policy to publicise the fact that any drone activity on Council land will be strictly limited.

#### **6.3 What is the impact on the organisation?**

It is the Council's responsibility to ensure the land under its ownership is appropriately managed.

#### 6.4 Equalities / EIA Implications for (or impact on) the environment

The Drone Policy and Permission to the police will ensure that all sections of the community are able to enjoy the facilities provided within parks and open spaces.

#### 6.5 Implications for (or impact on) the environment

Continued provision of safe environment of people, animals and wildlife within parks and open spaces.

#### 6.6 Implications for partner organisations?

None

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| Michelle Tyrntania   | Park Services Manager  | Place                       | 30/11/18          | 01/12/18                           |
| Tim Fox  | City Centre and War Memorial Park Manager                            |                             | 30/11/18          |                                    |
| Rose Michelle  | Governance Services co-ordinator                                     | Place                       | 29/11/18          | 6/12/18                            |
| Hickin Craig   | Head of Environmental Services<br>Street Scene & Regulatory Services | Place                       | 30/11/18          | 03/12/18                           |
| <b>Names of approvers for submission:<br/>(officers and Members)</b> |  |                             |                   |                                    |
| Graham Clark   | Lead Accountant (Business Partnering)                                | Place                       | 30/11/18          | 30/11/18                           |
| Andrew Walster   | Assistant Director (Streetscene and Regulatory Services)             | Place                       | 30/11/18          | 02/12/18                           |
| Councillor Abdul S Khan  | Cabinet Member for Policing and Equalities                           | -                           | 30/11/18          | 30/11/18                           |

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Appendix 1: Drone and Unmanned Aerial Vehicle ("UAV") Policy.

Appendix 2: Drone and Unmanned Aerial Vehicle ("UAV") Permission for West Midlands Police

Appendix 3: Drone and Unmanned Aerial Vehicle ("UAV") Permission

## **Drone and Unmanned Aerial Vehicle (“UAV”) Policy**

### **Introduction**

Coventry City Council has introduced this Policy for land it owns and operates such as parks and open spaces including Coombe Country Park as a result of concerns being raised about the operation of drones and UAVs in the city.

The following concerns have been raised:

1. The nuisance caused by the noise of drones or UAVs flying overhead causing a disturbance to members of the public enjoying their leisure time, going about their daily lives or working.
2. Drones or UAVs can carry surveillance equipment which may result in an invasion of privacy or safeguarding concerns.
3. The potential injury drones or UAV can cause to people, animals and wildlife whilst in flight and on taking off and landing

### **Prohibition**

The Council will not permit any drones or UAVs to be flown from Council land including parks and open spaces unless they fall within one of the exceptions below.

The Council as a land owner and / or as a consequence of its Byelaws for Pleasure Grounds 1962 will request any person flying a drone or UAV in its parks or open spaces to stop immediately and leave the site.

If a person is found to be flying a drone or UAV on a Council owned site, the Council will consider taking legal enforcement action on the basis that this is behaviour likely to cause harassment, alarm or distress.

### **Exceptions**

1. The Police have been granted conditional permission by the Council to fly drones or UAVs from Council owned land in order to prevent and detect crime and maintain public safety.
2. The Council will grant conditional permission to fly drones or UAVs from Council owned land for certain activities of a professional or commercial nature which will be purpose and time limited and must be covered by the appropriate public liability insurance.
3. The Council will grant conditional permission to fly drones or UAVs from Council owned land in circumstances where they are being used for the purpose of risk reduction such as for health and safety purposes, highway and building survey work.

Agreed by the Cabinet Member for Policing and Equalities 10<sup>th</sup> January 2019

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## Appendix 2

### **Drone and Unmanned Aerial Vehicle (“UAV”) Flying Permission - Police**

#### **Permission**

Coventry City Council (“the Council”) grants permission to West Midlands Police (“the Police”) to launch and land and otherwise operate drones or UAVs from any land owned and under the control of the Council within the boundary of Coventry City.

#### **Terms**

1. The Police agree as a consequence of utilising this permission:
  - 1.1 To comply with the requirements of the Civil Aviation Act 1982 and the Air Navigation Order 2016 as amended as well as any requirements of the Civil Aviation Authority and any other legal requirements.
  - 1.2 To ensure that the drone or UAV is flown safely and is not flown recklessly or negligently so as to cause or permit it to endanger to any person, property, vehicle, animal, bird or any other wild or domesticated creature.
  - 1.3 To indemnify and keep indemnified the Council against all liabilities, costs, expenses, damages and losses (including but not limited to any direct, indirect or consequential losses, loss of profit, loss of reputation and all interest, penalties and legal costs (calculated on a full or indemnity basis) and all other professional costs and expenses) suffered or incurred by the Council in connection with the permission.
  - 1.4 To notify the Emergency Services Unit (“ESU”) each and every time a drone or UAV is to be operated within the boundary of Coventry City on (phone number).....or (email address).....
  - 1.5 To comply with the obligations imposed by the General Data Protection Regulation (“GDPR”), the Data Protection Act 2018 and all regulations made thereunder, to ensure that Personal Data or Sensitive Personal Data is processed only in accordance with their own policies and procedures including but not limited to ensuring compliance with the seven key principles set out in Article 5 (1) and 5(2) of GDPR
2. The Council accepts no responsibility or liability for any damage or injury caused directly or indirectly by the use of drones or UAV by the Police.

3. The Council can terminate this permission at any time without specifying a reason by serving a written notice on the Police.at West Midlands Police, Operational Support Unit, Central Traffic Complex, 199 Park Lane, Aston, Birmingham B6 5DD.

Signed .....

Andrew Walster, Director of Streetscene and Regulatory Services for and on behalf of  
Coventry City Council

Signed.....

.....for and on behalf of  
West Midlands Police.

## Appendix 3

### Drone and Unmanned Aerial Vehicle (“UAV”) Flying Permission

#### Permission

Coventry City Council (“the Council”) grants permission to .....(name of person or company) (“the Permission Holder”) to launch and land and otherwise operate a drone or UAV from .....(land or location) for the purpose of .....(purpose) on .....(date) between .....(times).

#### Terms

1. The Permission Holder agrees as a consequence of utilising this permission:
  - 1.1 To comply with the requirements of the Civil Aviation Act 1982 and the Air Navigation Order 2016 as amended as well as any requirements of the Civil Aviation Authority and any other legal requirements.
  - 1.2 To ensure that the drone or UAV is flown safely and is not flown recklessly or negligently so as to cause or permit it to endanger to any person, property, vehicle, animal, bird or any other wild or domesticated creature.
  - 1.3 To indemnify and keep indemnified the Council against all liabilities, costs, expenses, damages and losses (including but not limited to any direct, indirect or consequential losses, loss of profit, loss of reputation and all interest, penalties and legal costs (calculated on a full or indemnity basis) and all other professional costs and expenses) suffered or incurred by the Council in connection with the permission.
  - 1.4 To comply with the obligations imposed by the General Data Protection Regulation (“GDPR”), the Data Protection Act 2018 and all regulations made thereunder, to ensure that any Personal Data or Sensitive Personal Data collected is processed only in accordance with their own policies and procedures including but not limited to ensuring compliance with the seven key principles set out in Article 5 (1) and 5(2) of GDPR
  - 1.5 To supply the Council with a description of the purpose of the flight(s), a copy of their public liability insurance (minimum £5 million), a copy of their flight plan including launch and landing points and a copy of their risk assessment
  - 1.6 To pay the Council a fee of £.....payable in advance.

2. The Council accepts no responsibility or liability for any damage or injury caused directly or indirectly by the use of a drone or UAV by the Permission Holder.
3. The Council can terminate this permission any time without specifying a reason either verbally or in writing by communicating this to the Permission Holder or any of their representatives.

Signed .....

for and on behalf of Coventry City Council ("the Council")

Signed.....

.....for and on behalf  
of.....("the Permission Holder")