

CABINET MEMBER DECISION RECORD TEMPLATE

This form should be used to record Executive decisions taken by Cabinet Members

Decision Ref. No:
Responsible Officer: Kelly Ansell, Head of Communities and Enforcement
Subject: Public Spaces Protection Order (PSPO) Town Centre Busking and Skateboarding
Decision taken: <ul style="list-style-type: none"> • To acknowledge and publish the results of the public consultation on whether to implement a PSPO for skateboarding and busking in Bournemouth Town Centre • To explore other appropriate actions to address anti-social behaviour relating to these issues • Not to proceed with the implementation of a PSPO to restrict skateboarding and busking at this point in time
Reasons for the decision: <ul style="list-style-type: none"> • A public consultation was undertaken in November 2017 and the results were that the majority of respondents do not believe that a PSPO should be used to restrict busking and skateboarding • Further guidance regarding PSPOs published by the Government in December 2017 illustrates that the test for restricting the activities named above has not been met • Alternative strategies as outlined below to deal with anti-social behaviour related to these issues are planned to commence in Summer 2018
Call-in and Urgency: Subject to call-in.
Background: Public Spaces Protection Orders (PSPOs) are intended to deal with a particular nuisance in an area and that behaviour is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure that the law-abiding majority can use and enjoy public spaces without experiencing such behaviour. Following concerns from local businesses and residents, the Town Centre Business Improvement District and visitors to the town, officers from Bournemouth Council were asked to consider whether a PSPO is required in Bournemouth Town centre to deal with unreasonable behaviour relating to: <ul style="list-style-type: none"> • Busking in certain areas of the town • Skateboarding in certain areas of the town A public consultation was undertaken from 6 th November 2017 to 4 th December 2017 and was available online and in the local library for residents. It helped to identify:

- how much of an issue this behaviour is having on Bournemouth Town Centre to decide whether such behaviour is having a detrimental effect on the community, and
- whether the behaviour is continuing/persistent and unreasonable, and what action should be taken, if any, to deal with this behaviour

In order to introduce a PSPO, the council must be satisfied that the behaviours contained in the order adversely affect the quality of life for local communities. The named behaviours must be continuing/persistent and unreasonable.

The results of the consultation are contained within the attached PSPO Consultation Report.

In June 2018 two Community Safety Accreditation Scheme (CSAS) officers will be employed for the Town Centre and Westbourne areas to help deal with anti-social behaviour. Buskers who are behaving unreasonably or too loud will be investigated by these officers and Community Protection Notices will be issued if their behaviour is unacceptable. CSAS officers will be members of the Neighbourhood Policing Team and have powers to demand name and address and it is an offence not to provide them with this information. The officers will feed directly into support services as well as holding enforcement functions and working closely with the Council's anti-social behaviour team.

Existing bye-laws in the Town Centre for skateboarding and the enforcement of the same will be explored further in May 2018.

A review of these proposed practices will be undertaken in 12 months.

Options - and reasons for rejection:

- Do nothing-This has been rejected due to the number of complaints and concerns that have been raised by local businesses, Ward Councillors and the Town Centre BID.
- Proceed with the introduction of a PSPO to restrict busking and skateboarding. This has been rejected due to the lack of evidence and the lack of support from the public consultation to proceed
- Explore other available enforcement actions to deal with problematic individuals who are busking or skateboarding. This is the preferred option.

Consultations undertaken:

Public consultation undertaken from 6th November 2017 to 4th December 2017 was publicised through a press release in the local newspaper and BBC South Today as well as the Bournemouth Borough Council website. The Town Centre Business Improvement District also emailed those on their distribution list. Respondents were asked to answer an online survey to indicate whether they thought skateboarding and busking was a problem in the Town Centre and if they felt a PSPO should be introduced to restrict these issues.

1,274 responses were received online together with 1 written response and 10 email responses. One electronic petition against the proposals was also received containing 1,303 electronic signatures.

- 74% of respondents disagreed that Bournemouth Town Centre experiences persistent and unreasonable behaviour caused by skateboarding and 75% disagreed that this should be regulated through the use of a PSPO
- 89% of respondents disagreed that Bournemouth Town Centre experiences persistent and unreasonable behaviour caused by busking and 88% disagreed that this should be regulated through the use of a PSPO

The full results are within the attached PSPO Consultation Report.

Finance/Resource Implications:

Responses to queries or disagreements regarding the decision to not proceed with the PSPO will be undertaken utilising officer time and existing resources. 2 new CSAS Officers for the town centre are funded from existing resources.

Name:

Adam Richens

Signature: (of Chief Finance Officer)



Date: 11th May 2018

Legal implications:

Further guidance regarding PSPOs released by the Government in December 2017 is available at:

<https://www.gov.uk/government/news/new-guidance-on-the-use-of-the-anti-social-behaviour-crime-and-policing-act-2014>

The guidance aims to help Police and Councils to use PSPO powers as they are intended and tackle behaviour that is genuinely anti-social and not unfairly target specific groups that are not causing a nuisance.

Name:

Tanya Cowell

Signature: (of Monitoring Officer)

Date:

16/05/18



Risk assessment:

There are risks associated with this decision to not proceed with the PSPO as a number of businesses, residents and members of the public are experiencing difficulties with busking and skateboarding and may believe the issue can only be controlled by a PSPO. This could lead to negative publicity and press coverage. This is outside of the scope of this CMD.

Individual risk assessments will be undertaken for any new strategies.

Name:

Nancy Ansell

Signature:

Date:

16/5/18



Impact Assessments:

An Equality Impact Needs Assessment has been undertaken on the proposal to not proceed with the PSPO. No negative impacts have been identified relating to the consultation.

Information for/not for publication:

For publication.

Any conflict of interest declared by a Cabinet Member who is consulted by the Member taking the decision	Name of Cabinet Member	Nature of interest	Details of any dispensation granted by the Monitoring Officer
Yes/No* (*Delete as appropriate)			

Decision taken by:

Councillor DAVID SMITH (Print name) Cabinet Portfolio



Signed:

Date of decision: 17/5/18

Date of publication of record of decision: (to be inserted by Democratic Services)

Date decision effective - that is 5 working days after the date of publication of the record of decision unless the decision is called-in for consideration by the relevant Overview and Scrutiny Panel:

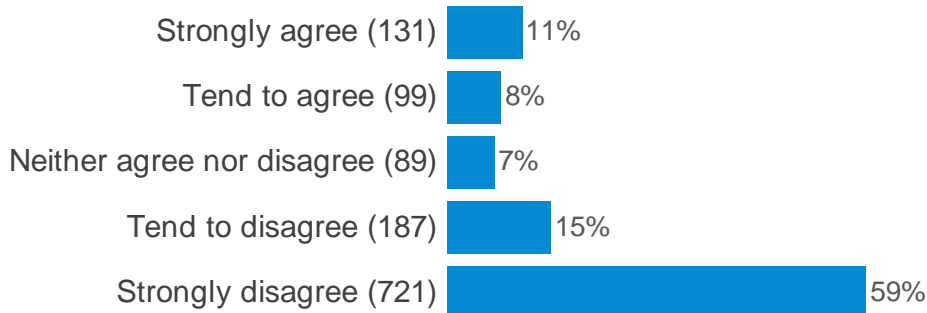
Note - See separate guidance on recording decisions at Appendix 1.

PSPO Town Centre 2017

This report was produced on 05/12/17. 1274 respondents completed this questionnaire.

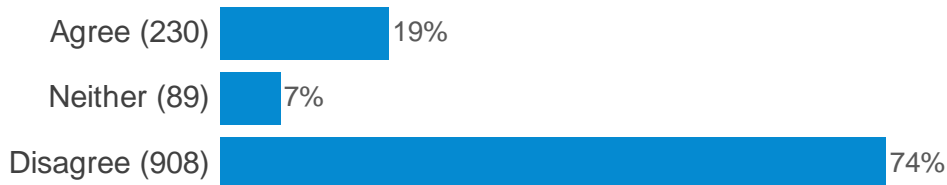
How strongly do you agree or disagree that Bournemouth Town Centre experiences persistent and unreasonable behaviour caused by:

(Please tick one option per row) (Skateboarding in certain areas of the town)



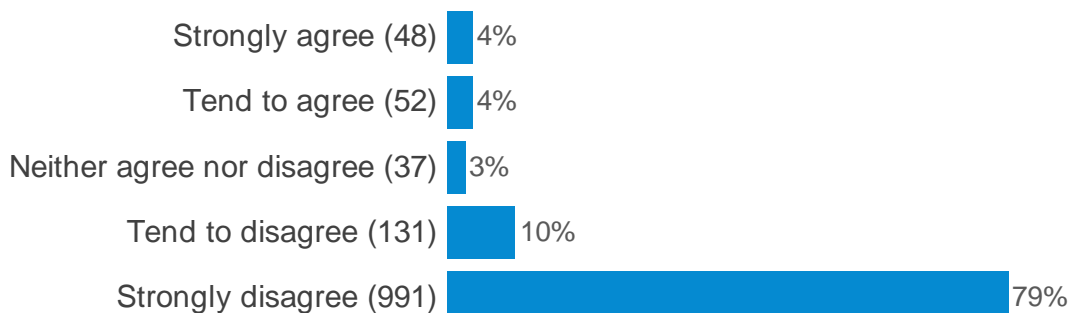
How strongly do you agree or disagree that Bournemouth Town Centre experiences persistent and unreasonable behaviour caused by:

(Please tick one option per row) (Skateboarding in certain areas of the town)



How strongly do you agree or disagree that Bournemouth Town Centre experiences persistent and unreasonable behaviour caused by:

(Please tick one option per row) (Busking in certain areas of the town)



PSPO Town Centre 2017

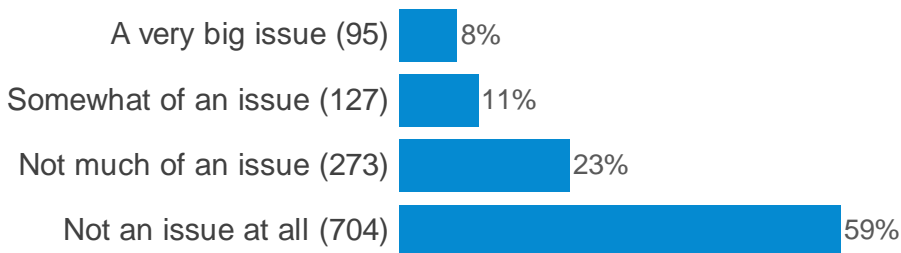
How strongly do you agree or disagree that Bournemouth Town Centre experiences persistent and unreasonable behaviour caused by:

(Please tick one option per row) (Busking in certain areas of the town)



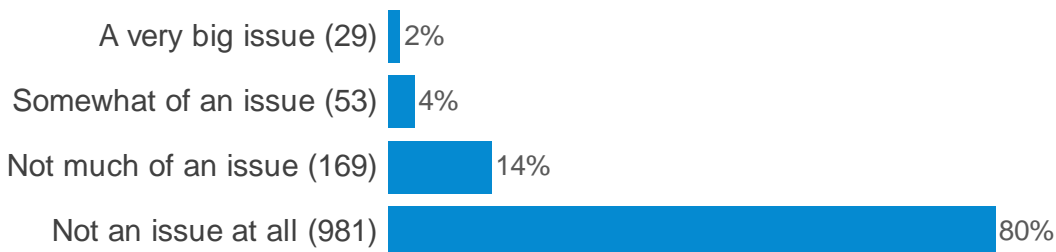
How much of an issue do you think the following behaviours in Bournemouth Town Centre are:

(Please tick one option per row) (Skateboarding in certain areas of the town)



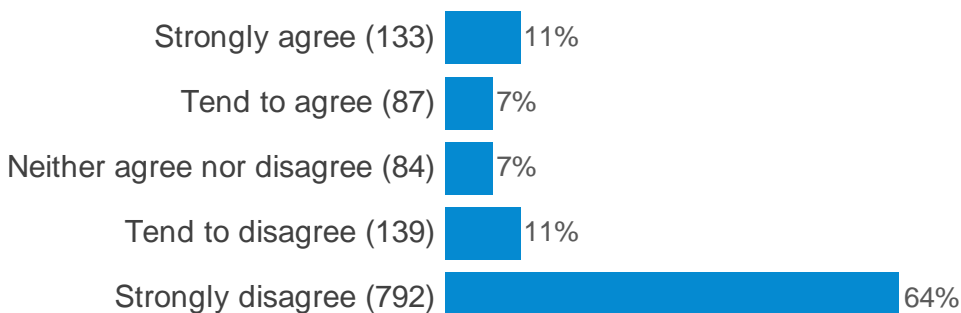
How much of an issue do you think the following behaviours in Bournemouth Town Centre are:

(Please tick one option per row) (Busking in certain areas of the town)

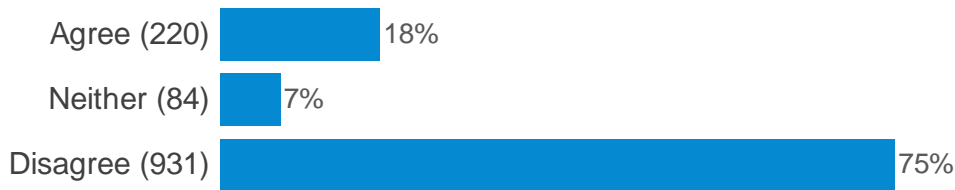
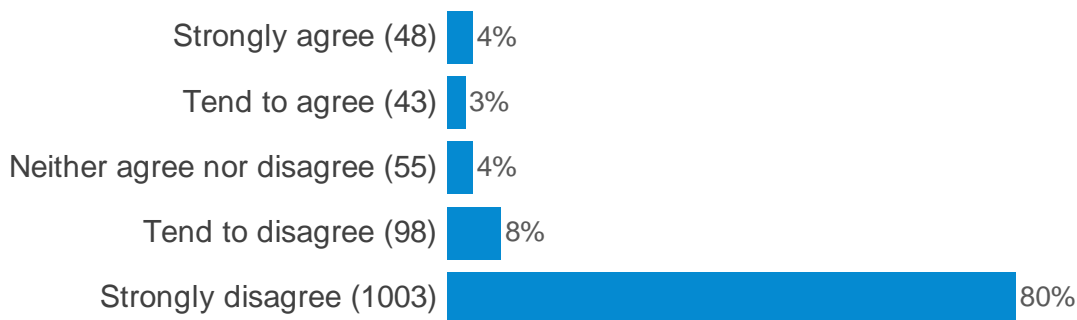
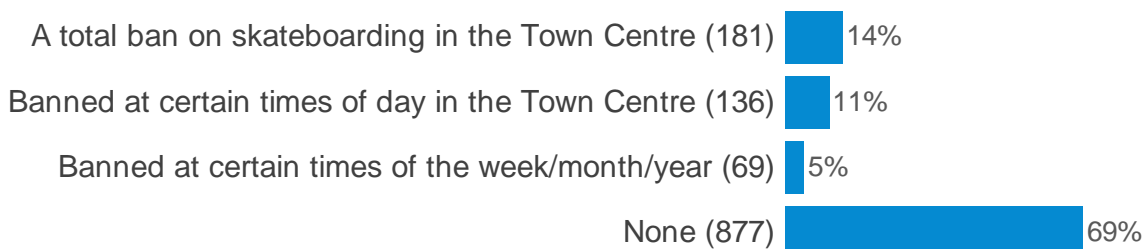


How strongly do you agree or disagree that these behaviours should be regulated through a PSPO:

(Please tick one option per row) (Skateboarding in certain areas of the town)

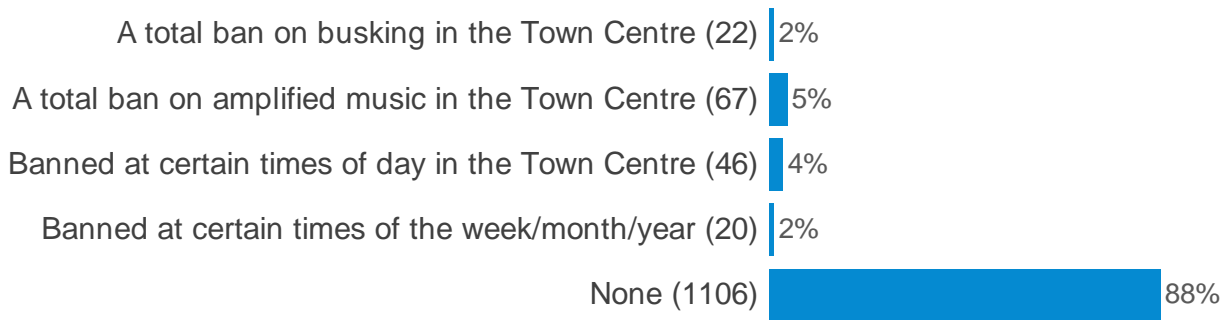


PSPO Town Centre 2017

How strongly do you agree or disagree that these behaviours should be regulated through a PSPO:(Please tick one option per row) **(Skateboarding in certain areas of the town)****How strongly do you agree or disagree that these behaviours should be regulated through a PSPO:**(Please tick one option per row) **(Busking in certain areas of the town)****How strongly do you agree or disagree that these behaviours should be regulated through a PSPO?**(Please tick one option per row) **(Busking in certain areas of the town)****What conditions do you feel might be appropriate for skateboarding under a PSPO?**(Please tick one option) **(What conditions do you feel might be appropriate for skat...)**

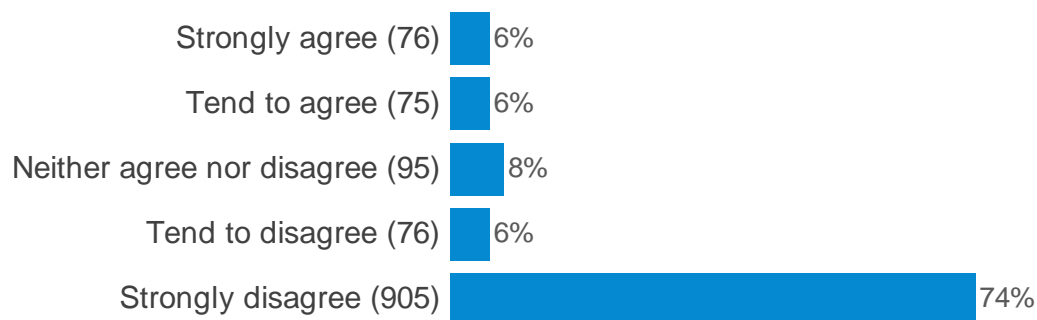
PSPO Town Centre 2017

What conditions do you feel might be appropriate for busking under a PSPO?
 (Please tick one option) (**What conditions do you feel might be appropriate for busk...**)



How strongly do you agree or disagree with the proposed area (shown above) for the PSPOs?

(Please tick one option) ()

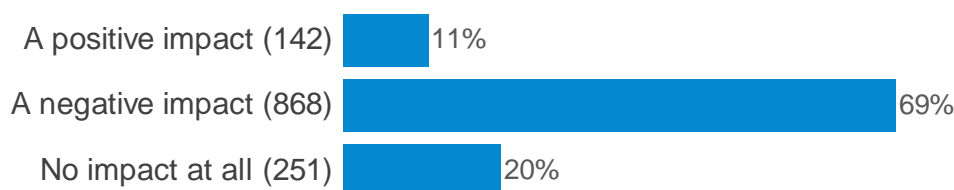


How strongly do you agree or disagree with the proposed area (shown above) for the PSPOs?

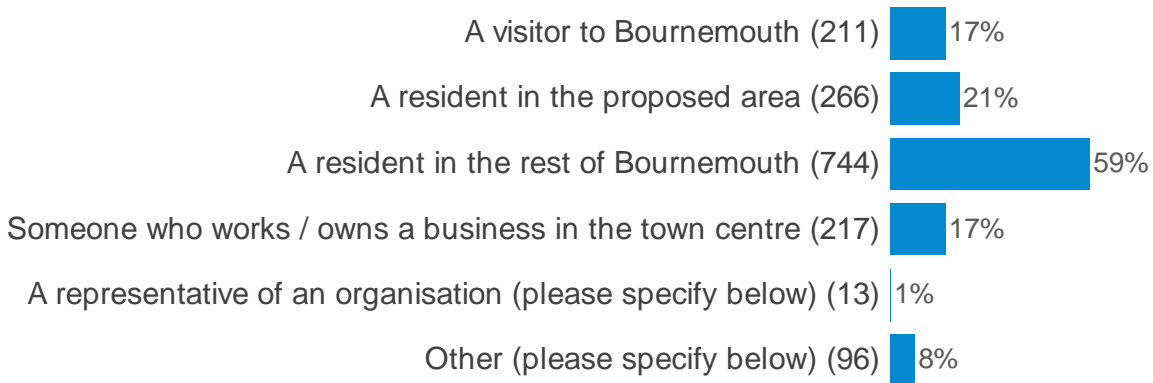
(Please tick one option) ()



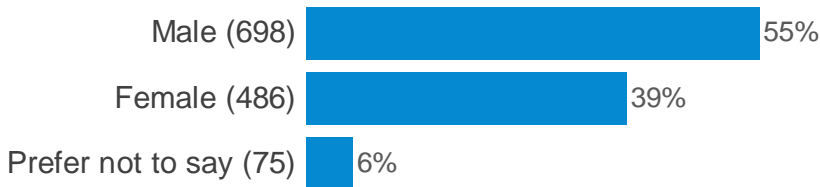
What impact, if any, would a PSPO to regulate these behaviours have upon you?
 (Please tick one option)



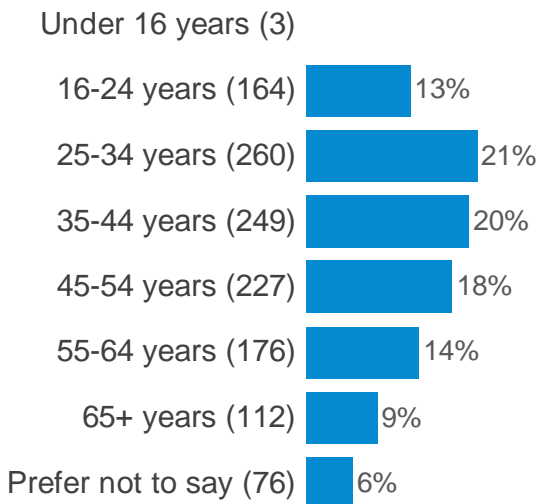
Are you responding as:
(Please tick all that apply)



Are you male or female?
(Please tick one option)



Which of these age bands do you fall into?
(Please tick one option) (Which of these age bands do you fall into?)



Do you consider yourself to have a disability?

(Please tick one option)



What is your ethnic group?

(Please tick one option)

