

Minute extract from Policy Development Committee – 19 February 2018

Anti-Social Behaviour (ASB) related Public Spaces Protection Order (PSPO)

The committee considered a report on the introduction of a Public Spaces Protection Order (PSPO) for defined areas within the Borough of Weymouth and Portland. The report also set out the feedback from the public consultation carried out with a cross section of the community. It was proposed that the committee recommend the Order to Management Committee for approval with or without amendments.

The Licensing and Community Safety Manager set out the four provisions in the draft order for the PSPO:

The first provision was the continuation and increased provision of the alcohol restrictions which were previously in place under the Designated Public Place Order (otherwise known as the DPPO). The areas covered under the first provision were set out within the Map 1 attached to the report.

The second provision was set around the prohibition of begging within defined areas of Weymouth, these areas could be seen on Map 2. This prohibition would assist in tackling unwanted behaviour of few individual persistent or problematic beggars, and would not be used to target vulnerable people. Members were advised that this would be used as a tool for a multi-agency approach to reduce the number of people begging within areas of Weymouth, and as an opportunity to sign post people on the street to agencies that could offer help or assistance.

Provision number three set out to prohibit the intentional feeding of Gulls within the areas shown on map three. This was intended to reduce some of the aggressive behaviours associated with the feeding of Gulls such as dive bombing members of the public for food or rummaging through public bins and leaving the rubbish on the streets.

Provision number four would introduce time restricted prohibitions associated with cycling on the promenade. If introduced this provision would prohibit cycling on the promenade between the times of 10am to 6pm for the months of May through to the end of September. This provision would also remove the existing byelaw which banned cycling altogether and allow cyclist to cycle on the promenade at certain times of the day.

Members discussed each provision in detail and asked a number of questions for clarification.

In respect of section one (Alcohol-related proposal)

- It was confirmed that there would be local ward member engagement.
- Local business and public house outside drinking areas were outside of the control areas.
- PSPO could only be made within the area of public open space in accordance with its administrative boundary

- Members were advised that it was difficult to define a vulnerable person and an Order could only be placed on areas where there was evidence to show that it was problematic.
- It was confirmed that it was not the intention to target vulnerable individuals but it did pose an opportunity to signpost them to the appropriate services for further help and assistance.
- An Order could be amended during its lifetime, if the evidence required it to do so or after a 3 year period.
- Members sought assurance that a review be carried out either by Scrutiny and Performance Committee or the Melcombe Regis Board, in order to measure its impact.
- The committee were reminded that the aim of the Order was to challenge anti-social behaviour not individual people.

Cllr R Hope proposed and Cllr P McCartney seconded that section one of the Order be approved.

In respect of section two (Begging)

- Members expressed concern that the Esplanade was not included within the Order map. It was confirmed that the Esplanade was not public open space and was covered by other by-laws.
- In response to questions, one individual aggressive beggar would not be enough evidence to extend the Order to other areas.
- That this element of the Order be reviewed after a 12 month period.
- It was noted that other areas of the town centre were protected by other legal frameworks.

It was proposed by Cllr P McCartney seconded by Cllr R Hope that section two be approved.

Members then considered section three in respect of feeding gulls.

- This would not include occasions where gulls stole food from the public, but aimed to stop the general public feeding gulls which caused them to be a public nuisance and encouraged them into the area.
- Members agreed that clear signage and educational campaign was necessary to support this measure.
- It was suggested that the Esplanade waste bins required more frequently emptying during the summer months.

It was proposed by Cllr M Tewkesbury seconded by Cllr O Kanji that section 3 be approved. In respect of section four, Cycling

Simon King, Senior Economic Regeneration Officer advised the committee that cycling on Weymouth/Greenhill promenade was currently prohibited at all times throughout the year. It was proposed to continue with that prohibition at times when it was likely to have a detrimental effect. If introduced, this would mean that cycling

would be prohibited between 10.00 hours and 18.00 hours from 1 May to 30 September, annually. In response to questions

- It was confirmed that the Bylaw would remain, but the PSPO would allow cycling at certain times.
- It was noted that public feedback to this element had been positive
- The proposal would encourage a shared environment, reduce the use of the car, encourage walking and had health benefits

Cllr R Hope proposed that the time cycling would be prohibited should be between 10.00 hours and 17.30 hours to accommodate cyclist commuters. The motion was seconded by Cllr M Tewksbury. Upon being put to the vote the motion was agreed.

Members further agreed that any concerns in relation to the provisions around begging or cycling should be handled by way of a review period. A report with information on the progress of the Order should be brought to the committee within 12 months of any potential implementation.

Decision

- (a) That the need for an Anti-Social Behaviour Public Spaces Protection Order be agreed
- (b) That the proposed provisions as set out within the report be approved
- (c) A report with information on the progress of the Order be brought to the committee within 12 months of any potential implementation.

Recommendation to Management Committee

- (d) That Management Committee considers the Anti-Social Behaviour (ASB) related Public Spaces Protection order (PSPO) and recommend the Order for adoption.