

To: Scrutiny Committee
Date: 2 November 2015
Report of: Head of Community Services

Title of Report: City Centre Public Spaces Protection Order

Summary

Purpose of report: Describe the consultation process of the City Centre Public Spaces Protection Order

Key decision: No

Executive lead member: Councillor Dee Sinclair, Board Member for Crime and Community Response

Recommendations: That the information requested is noted.

Appendices

Appendix 1: Letter to 3,000 owners and occupiers of land within the PSPO area.

Appendix 2: Email to college bursars

Background

1. The Scrutiny Committee requested a report on the consultation process that took place to seek the views of those who might be affected by the City Centre Public Spaces Protection Order (PSPO).

Introduction

2. Part IV of the Anti-social Behaviour, Crime and Policing Act 2014 sets out the legislative requirements of introducing a Public Spaces Protection Order. Section 72 (3) describes the consultation requirements as being:
 - (3) "A local authority must carry out the necessary consultation and the necessary publicity, and the necessary notification (if any), before—
 - (a) making a public spaces protection order, .
 - (b) extending the period for which a public spaces protection order has effect, or .
 - (c) varying or discharging a public spaces protection order. .

(4) *In subsection (3)—*

“the necessary consultation” means consulting with—

(a) the chief officer of police, and the local policing body, for the police area that includes the restricted area;

(b) whatever community representatives the local authority thinks it appropriate to consult;

(c) the owner or occupier of land within the restricted area;

“the necessary publicity” means—

(a) in the case of a proposed order or variation, publishing the text of it;

(b) in the case of a proposed extension or discharge, publicising the proposal;

“the necessary notification” means notifying the following authorities of the proposed order, extension, variation or discharge—

(a) the parish council or community council (if any) for the area that includes the restricted area;

(b) in the case of a public spaces protection order made or to be made by a district council in England, the county council (if any) for the area that includes the restricted area.

3. There are over 3,000 owners and occupiers of land in the area, thousands of visitors and employees. It was agreed that the best way to elicit views from those affected by the Order was an on-line survey, supported by local press coverage and detailed information on the Order on our website.

Consultation process

4. In response to Member’s requests to tackle some of the problematic issues identified within the city centre, the Environmental Protection Service Manager attended a Directorate Commissioning Meeting on 5 January 2015 to propose a Public Spaces Protection Order for the city centre. The meeting is the first stage in the development of City Executive Board or Full Council reports. The development of the report was agreed, as was the process to be followed.
5. As per council policy, the Anti-Social Behaviour Investigation Team (ASBIT) Team Leader attended a Public Involvement Board (PIB) meeting on the 15 January 2015 to seek approval for the methods of consultation on the PSPO. The Board agreed on the process subject to seeing the scope and clarification of the consultation methods.
6. On the 3 February 2015 a PSPO Member’s Reference Group was convened to steer the scope of the report. The group comprised ward councillors for all the areas affected and was chaired by the Board Member for Crime, Community Safety and Licensing. The group agreed on the list of PSPO issues to be consulted upon.
7. On the 5 February the ASBIT Team Leader again attended the PIB and gained agreement for the PSPO consultation approach, supported by press coverage from the local media.

Consultation methods

8. The consultation methods used were detailed in the CEB City Centre PSPO report of the 15 October and included:
 - Letters to all businesses within the city centre
 - Letters to the Universities within the city centre
 - Letters to the residents in the city centre
 - Public consultation on the street by City Centre Ambassadors - to capture the opinion of the transient population (tourists etc) using a 1000 business cards.
 - Representation at key forums – Neighbourhood Action Groups, business meetings and resident associations
 - Media – Press release given to Oxford Mail in first week of March. This release was a continuation of a number of PSPO press releases since the new powers were released.
 - Social media –released on Twitter
 - Webpage – full details placed on the council website
 - Buskers and street entertainers- City centre Ambassadors and Community Response Officers have approached a number of buskers.
 - BBC Radio Oxford – Cllr Dee Sinclair (Board Member for Crime and Community Response) took part in a radio discussion programme about the PSPO.
 - Discussions with Area Commander Thames Valley Police and the Police Crime Commissioner’s office
 - 1000 registered members of eConsult contacted
9. 3,000 letters were sent to all registered addresses in the area on 5 March 2015, therefore most colleges and the University received more than one letter. (Appendix 1).
10. In addition, on 19 March 2015 an email was sent out on the council’s behalf by the University Security Service to all college Bursars for dissemination to all staff and students, introducing the legislation and encouraging them to access the website. (Appendix 2).

Next steps

11. The University wrote to the Head of Law and Governance on the 15 October, the day of the CEB meeting to discuss the PSPO, expressing their view that the University did not want the Order to apply to their land. This was reported to CEB at the meeting on 15 October 2015.
12. There are two existing Orders in place on all public space that the public has express or implied right of access, whether payment is made or not, which includes University land. These are related to the control of dogs and the consumption of alcohol. These Orders are repealed by the Anti-social Behaviour, Crime and Policing Act 2014, which allows three years to replace them with PSPOs.
13. The Director of Community Services has written to the University requesting a meeting to discuss the application of the Order and those discussions will take place before the proposed Order takes effect.

Name and contact details of author:-

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Appendix 1: Letter to all owners and occupiers of land in the area

Environmental Development

Direct Line: 01865 249811

Fax:

E-mail: saferoxford@oxford.gov.uk

St Aldates Chambers

Oxford

OX1 1DS

Central Number: 01865 249811

Date:

Our ref:

Your ref:

Dear Sir or Madam

Public Spaces Protection Order Consultation

The Anti-social Behaviour, Crime and Policing Act 2014 introduced a number of new powers that came into effect in October 2014. The new Public Spaces Protection Order (PSPO) was one of these powers and is designed to deal with anti-social behaviour problems that are affecting a particular geographic area.

The PSPO can last for up to three years and it is an offence to breach it. People who breach the order can be offered a fixed penalty notice or be reported to court for the breach. The order defines the prohibited behaviours.

Oxford City Council is considering the use of a PSPO in the city centre. I would be grateful if you could visit www.oxford.gov.uk/asbsurvey and take the opportunity to give your views on which behaviours should be included within a Public Spaces Protection Order. The survey will close on the 31st March 2015.

If you do not have access to a computer then please feel free to contact us on the number above and we will arrange for you to have access to the survey.

Yours faithfully,

Contact: **Daryl Edmunds**
Anti-Social Behaviour Investigation
Team Manager

Appendix 2: Email to all Bursars

“Dear staff and students of The University of Oxford,

Oxford City Council is asking residents, businesses and visitors to give their views on controlling and reducing incidents of anti-social behaviour in the city centre. The results of this consultation will help the Council to decide if a new Public Spaces Protection Order (PSPO) would be effective and useful in improving the quality of the experience of using the city centre or shopping, eating and entertainment. People and businesses taking part are asked if they have experienced any incidents of anti-social behaviour, any trends in such behaviour and ideas on how such behaviour could best be reduced and controlled. The survey covers a range of behaviours including:

- Begging, busking and street sleeping
- Dog control, dog mess and public toilets
- Cycling, drinking and graffiti

Launching the survey, City Council Leader Bob Price said:

“These are difficult issues but they make a huge impact on our perceptions of the city and everyone has a view on them. We’re keen to enhance the look and feel of the city so that it remains a place that everyone can enjoy. But persistent incidents and type of anti-social behaviour can spoil the experience for residents, businesses and visitors. Following this consultation we will be considering what type of PSPO would be most helpful and setting out the standards of behaviour and activities that are covered by the Order”

Anyone wishing to have a say in this survey should visit our PSPO consultation page to take part online. If you can’t do it online call 01865 249811 and the City Council will make arrangements for you to take part. The consultation closes on the 31 March 2015.

Please follow the Oxford City Council weblink to complete the City Centre PSPO public consultation.

<http://consultation.oxford.gov.uk/consult.ti/PSPOCityCentre/consultationHome>