

To: City Executive Board
Date: 6 April 2017
Report of: Executive Director for Community Services
Title of Report: Public safety and addressing anti-social behaviour on Oxford's Waterways

Summary and recommendations	
Purpose of report:	Report back on the outcome of the consultation regarding the proposal to make a Public Spaces Protection Order in respect of the waterways of Oxford and make recommendations as to the way forward.
Key decision:	Yes
Executive Board Member:	Cllr Dee Sinclair, Board Member for Community Safety
Corporate Priority:	Strong, Active Communities
Policy Framework:	Corporate Enforcement Policy
Recommendations: That the City Executive Board resolves to:	
<ol style="list-style-type: none"> 1. Not progress the proposal for a Public Spaces Protection Order for the generality of the waterways of Oxford; 2. Commission officers to develop localised solutions to public safety concerns for four identified priority areas; 3. Commission officers to further develop policy proposals that will address public safety and antisocial behaviour problems and improve public enjoyment of the city's waterways resources. 	

Appendices	
Appendix 1	Overview of the four areas of concern
Appendix 2	Equalities Impact Assessment

Introduction and background

1. Oxford City Council began preliminary consultation on a draft Public Spaces Protection Order for the waterways of Oxford in May 2016. The draft Order proposed area included the parts of the River Thames and its main tributaries, the

River Cherwell and the Oxford Canal that lie within Oxford City Council's boundaries.

Consultation

2. The consultation process sought views on the proposal and to elicit any further evidence of behaviour relevant to the proposed restrictions.
3. The consultation process was split into two phases. Phase 1 sought the views of key stakeholders who:
 - owned land next to the waterways (riparian land owners)
 - lived on the waterways
 - clubs or businesses who relied on the waterways
 - statutory partners involved in the management of the waterways or in addressing behaviour on the waterways.
4. Phase 2 of the consultation was to involve a public survey.
5. In September 2016, Phase 1 of the consultation process was extended to February 2017 to allow officers more time to engage with these issues. Councillors visited the waterways, hosted by the Environment Agency, to gain some first-hand knowledge of the issues facing this important Oxford feature.

Consultation analysis

6. Over thirty responses were received. In addition a series of meetings took place with boat dwellers, businesses and riparian owners. Many of the responses raised concerns not directly concerned with public safety or anti-social behaviour.
7. Analysis of the consultation found that the evidence does not support the proposal for a PSPO for the waterways, both in terms of the extensive area covered and its suggested prohibitions. Analysis of the engagements supports the view that the nature of problems identified differs across locations and requires bespoke solutions, many of which are already available through existing legislation. Other findings included:
 - There are a wide range of waterways concerns and opportunities including mooring provision, carbon emissions, public safety, safeguarding, tourism and community engagement.
 - A small number of locations on the waterways generate most public safety concerns. These concerns include alcohol-related disorder, unauthorised mooring and camping, fire lighting, vulnerable adults living on poorly maintained boats, squalid living conditions, dog fouling, fly-tipping, drug misuse and the safety of river users.
 - The need to improve safety and safeguarding of the vulnerable on and near the waterways was accepted by most respondents; there were widely differing views on the methods to achieve this.
 - Riparian landowners who responded tended to be in favour of a PSPO that addressed mooring and anti-social behaviour affecting their land.

- The Oxford Canal is owned and managed by the Canal and Rivers Trust (CaRT) who had concerns over all the prohibitions in the draft PSPO on their land, due to lack of evidence or the use of existing interventions.
- Oxford has numerous riparian owners and the added complexity that much of the River Thames south of Folly Bridge to the Southern By-pass is unregistered in terms of ownership and interests.
- The provision of additional temporary and permanent mooring sites is proposed as being integral to addressing the safety issues in the locations set out in this report.

Proposals

8. The consultation process has been very fruitful and leads to a conclusion that a blanket Public Spaces Protection Order for the waterways is not necessary or desirable to deal with the identified issues of anti-social behaviour, public safety and health. It is therefore proposed that the draft PSPO is not progressed and the consultation process should not continue onto Phase 2.
9. The work on the draft Order has indicated that there are four specific areas in which there are significant problems of public safety and anti-social behaviour, and it is proposed to work with partners and stakeholders to develop localised action plans to deal with the problems that have been identified. Consideration will also be given to the possible displacement effects of any local interventions. The four areas identified are:
 - Castle Mill Stream
 - Aristotle Lane
 - Aston's Eyot
 - The south bank of the River Thames between Folly Bridge and the southern Ring Road
10. In addressing the problems in these areas a range of possible interventions will be considered, including area-specific Public Spaces Protection Orders, referrals to support agencies, statutory abatement notices, Community Protection Notices, injunctions, the removal of derelict vessels, the regulation of mooring locations and boat licensing enforcement.
11. In tandem with these area reviews, it is proposed to undertake a review of the ways in which the city's waterways are being used and how the opportunities which they present could be developed. This review will include carbon emissions, public safety, safeguarding, tourism and community engagement and an assessment of the temporary and permanent mooring locations.
12. The timetable for addressing the four areas listed in paragraph 9, and the undertaking of a review into the wider use of the waterways is dependent upon identifying resources to take this work forward.
13. The Community Safety Team has begun initial discussions with the Friends of Aston's Eyot and the team are also taking forward the project at Castle Mill Stream. Aristotle Lane will be dealt with using a case management approach where there is evidence of environmental nuisance. The Private Sector Safety Team provides this service.

14. The tow path area from Folly Bridge to the southern bypass is a significantly larger project that will need consultation with a wide range of interested parties. This is the most significant recreational area of the waterways in Oxford and public safety interventions must address the needs of all river users in this busy section of the river.

Financial implications

15. There are no financial implications at present. Work within the areas identified will be funded through existing budgets. If further financial considerations are identified the appropriate report will be presented.

Legal issues

16. There are no legal issues.

Equalities impact

17. An Equalities Impact Assessment can be found in Appendix 2. Whilst it is not possible to provide an in-depth assessment of the equalities concerns relating to each of the localities identified, early indications are that persons affected by the reports proposals will include those with vulnerabilities or proscribed characteristics.

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Background Papers: None