

To: City Executive Board

Date: 11 May 2017

Report of: Scrutiny Committee

Title of Report: The Council's use of PSPO powers

Summary and Recommendations

Purpose of report: To present the recommendations of the Scrutiny Committee on the use of PSPO powers

Scrutiny Lead Member: Cllr Andrew Gant, Chair of Scrutiny

Executive lead member: Cllr Dee Sinclair, Board Member for Community Safety

Recommendation of the Scrutiny Committee to the City Executive Board:

That the City Executive Board states whether it agrees or disagrees with the two recommendations set out in the body of this report.

Background

1. The Scrutiny Committee requested a report on the impacts of public spaces protection orders (PSPOs) in the city including the numbers and types of interventions and enforcement actions. The Committee would like to thank Councillor Dee Sinclair, Board Member for Community Safety, and Richard Adams, Community Safety and Resilience Manager, for providing the report and presenting it to the committee on 27 March 2017.

Summary and recommendations

2. The Community Safety and Resilience Manager said that as there have been no breaches of the Foresters Tower PSPO. The PSPO will not be renewed when it expires and the legal test for retaining it would not be met. Four fixed penalty notices have been issued under the city centre PSPO, all for illegal peddling, and no cases have gone to the magistrates' court. The Board Member for Community Safety emphasised that this PSPO was about education not just enforcement.

3. The Committee questioned whether displacement has been monitored for the city centre PSPO and whether the Council is dealing with problems or just moving them around. The Community Safety and Resilience Manager explained that the PSPO did not seek to address rough sleeping (which has generally increased across the city) and that most of the restricted behaviours were only relevant to the city centre (e.g. cycling in certain streets). There has been a reduction in aggressive begging, which was covered by the PSPO, but not in begging per se.
4. The Committee queried how the Frequently Asked Question (FAQ) system works and whether an individual caught for two different breaches is issued with two FAQs or a penalty notice. The Community Safety and Resilience Manager said there are a very small number of repeat offenders who are known to the Council. He offered to provide the Committee with information on the numbers and profiles of these offenders and provided assurance that data sharing with partner organisations about people with complex needs was generally good.
5. The Committee noted that data is only collected when officers are actually present to observe nuisance behaviours taking place and issue FAQs. This makes it difficult to know how much weight to give the data.
6. The Committee commented that the cycling restrictions on Cornmarket and Queen Street are regularly ignored and heard that this is an ongoing concern. The Community Safety and Resilience Manager said that officers don't know the extent to which this problem is due to people deliberately ignoring the signage or whether they don't know it's there. Officers are not routinely stationed to catch people in the act but 234 FAQs have been issued to people breaching the cycling restrictions – far more than for any other nuisance behaviours covered by the PSPO. If a person jumped back on their bike having been issued with an FAQ they would be given a fixed penalty notice. Controlling the problem in this way continuously would require significant additional resources so it is as much about getting the message out there and each year educating new cohorts of students about the restrictions. The Committee voiced support for officers taking more targeted 'short and sharp' enforcement actions to police the cycling restrictions in the city centre, as well as more proactive messaging to students and other groups to raise awareness of the restrictions more generally.

Recommendation 1 – That the City Council takes more targeted enforcement actions aimed at addressing breaches of cycling restrictions in Queen Street and Cornmarket Street, together with more proactive messaging to key groups such as students.

7. In response to a question the Committee heard that Oxfordshire County Council can't improve the signage due to traffic regulation orders. The Committee suggest that efforts should be made to encourage the highways authority to improve the cycling signage on restricted streets in any way they can.

Recommendation 2 – That the City Council requests that Oxfordshire County Council does what it can to improve cycling signage on Cornmarket and Queen Street.

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List of background papers: None

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