

Purpose

1. Consultation was undertaken to consider the introduction three PSPOs which are aimed at reducing antisocial behaviour on our coastal areas, highways and open spaces which adversely impact on the enjoyment and use of the areas by others in the vicinity. The behaviours identified include playing loud music, acting in a manner which is antisocial, lighting fires and BBQ's, overnight sleeping in tents and overnight sleeping in vehicles.
2. Following consultation responses, further analysis of evidence and impact, and Counsel opinion, recommendations are made regarding which behaviours and PSPOs should be taken forward.
3. A PSPO allows a council to restrict specified activities within a public area, to tackle a wide range of anti-social behaviour issues. They are intended to deal with a particular nuisance or problem, in a specific area, that is detrimental to the quality of life of those in the locality. They impose a set of conditions on the use of that area which apply to everyone. They are intended to help ensure that the majority of people can enjoy public spaces, safe from anti-social behaviour (ASB).
4. Following a review of the Seasonal Response challenges during 2021 and 2022, a recommendation was made to BCP Council's Cabinet for the consideration of Public Spaces Protection Orders (PSPOs), to ban or restrict certain behaviours at identified locations.
5. The PSPOs would be enforced by authorised officers who will receive additional training and delegated powers to enable them to enforce the PSPOs and issue Fixed Penalty Notices (FPN).
6. Following consultation responses and Counsel advice, two PSPO's are recommended to be implemented. These are:
 - **Open spaces PSPO** – there are twenty sites including heathland, parks and recreational areas. This proposal addresses open fires including BBQs.
 - **Coastal PSPO** – this covers all beaches areas from Hamworthy to Highcliffe and addresses loud music, intimidating and aggressive behaviour, urination and defecation and open fires and BBQs.
7. This document considers the results of public consultation, gives options and makes recommendations based on the feedback received, alongside any potential equalities impact which has been reviewed by the Council's Equality Impact Panel.

Consultation

8. Public consultation took place between 23 January 2023 and 23:59 on 19 February 2023. There is no statutory period set for this consultation and 4 weeks was deemed appropriate.
9. A consultation document provided information about the proposals and the rationale for consideration. Detailed maps, including interactive maps online, were provided so consultees were able to clearly see the areas the proposed PSPOs would cover. The online interactive map included a search facility and option to drop a pin to indicate where the consultee felt such an Order may be beneficial outside of the proposed locations.
10. Copies of the draft Orders were provided.
11. A consultation response questionnaire sought residents, visitors, businesses and other stakeholders' views about each of the three proposed PSPO areas and each proposed prohibition. Respondents were also able to provide comments via free text questions. A full list of equality questions was asked in the consultation to allow full consideration of how the proposals affect different groups of people.
12. All of the consultation material was hosted on our digital engagement hub, with hard copies available in libraries and seafront offices and visitor centres. The consultation document included an email address for people to email if they required a different format or language version of the consultation material or support with completing the consultation.
13. A press release was issued and both local and regional media reported on the consultation. The consultation was also promoted through the Council's social media channels, Council's e-newsletter and to those registered with the digital engagement platform.
14. Signage was displayed in all areas to be included within the proposed PSPOs providing information and a QR code for the online consultation.
15. Seafront services engaged with the four beach hut associations: Friars Cliff, Mudeford, Bournemouth and Poole, and asked them to share the consultation with their members.

16. Direct links to the online consultation documents were issued directly to the statutory consultees; Dorset Police and Crime Commissioner and Dorset Police, as well as Elected Members and key stakeholders including Dorset and Wiltshire Fire Service, Town and Parish Councils, Beach Huts Associations, Gypsy and Traveller Advocacy Service, local businesses and land owners where the Council manage the land.
17. A communications plan including social media messaging was delivered during the course of the consultation.

Consultation feedback results

18. In total 1564 responses were received. Most respondents were residents (68%) and a quarter were visitors (24%.) Other responses were from businesses and other.
19. The consultation was hosted on BCP Council's engagement platform. There were 5,200 visits to the pages.
20. Visitors engaged with the content on the main consultation page as follows:
 - There were 1.4k document downloads and the top document downloads include:
 - 1,149 downloads of the consultation document
 - 118 downloads of Appendix 1 Draft PSPO orders
 - 52 downloads of the Highways and car parks map
 - 89 contributors dropped 113 pins on the engagement map

Overarching PSPO feedback and assessment

21. The overall respondent breakdown is as follows:

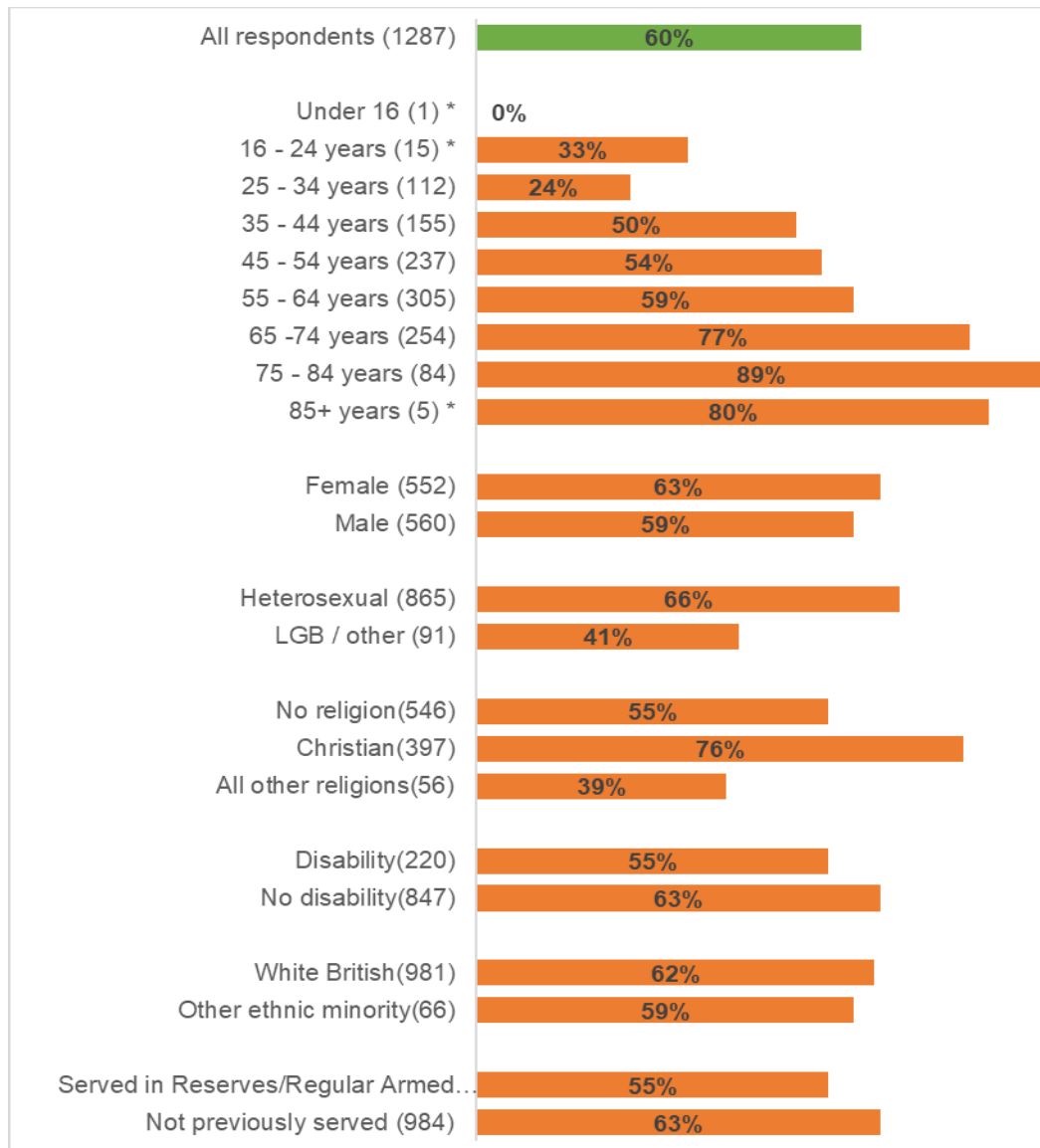
Group	Breakdown	No. of respondents	Percentage
Age	Under 16	1	<1%
	16 - 24 years	21	1%
	25 - 34 years	132	9%
	35 - 44 years	202	13%
	45 - 54 years	304	20%
	55 - 64 years	379	25%
	65 - 74 years	295	19%
	75 - 84 years	91	6%
	85+ years	6	<1%
	Prefer not to say	98	6%
Gender	Female	696	45%
	Male	655	43%
	Prefer not to say	179	12%
Sexual orientation	Straight / Heterosexual	1051	70%
	Gay / Lesbian / Bisexual / other	115	8%
	Prefer not to say	328	22%
Disability	Has a disability (limited a little / limited a lot)	267	18%
	No disability	1034	68%
	Prefer not to say	221	15%
Ethnic group	White British	1200	80%
	All minority ethnic	75	5%
	Prefer not to say	233	15%
Religion	No religion	660	44%
	Christian	497	33%
	All other religions	64	4%
	Prefer not to say	274	18%
UK Armed Forces	Not previously served in UK Armed Forces	1196	79%
	Previously served in UK Armed Forces	100	6%
	Prefer not to say	220	15%

22. There were higher numbers of respondents aged 35 and above than from the younger age groups. This is reflected throughout the responses which generally demonstrated higher support for the proposals by those aged 35 and above than those below the age of 35.
23. There is a balanced response rate between genders.
24. There was a higher response from those identified as Christians and those who are heterosexual. This is likely to be due to the age profile of respondents.
25. The consultation asked respondents to provide comments and to drop pins on a map to show any additional areas which they felt should be considered.
26. The areas shown will be discussed in relation to each PSPO individually. Concerns were raised around how enforcement would be funded, staff costs and the need for visibility of enforcement.
27. Examples of comments are:
 - *BCP Council has an extremely poor record on enforcing current rules/laws for example: camping overnight on beaches etc. How are you able to fund and enforce these new rules?"*
 - *"I agree this places should be protected. But will you actively enforce these new regulations? The enforcement is key! And needs to be done vigorously!"*
 - *"You need to consider the cost of applying these orders.*
 - *Staff costs and having excess staff are considerable. Many of the sites proposed would involve staff visits as a waste of time and ratepayers money.*
28. It is the intention that any enforcement action will be taken by existing front-line staff within the relevant services such as seafront, and parks who will be given training and guidance to ensure effective enforcement where necessary. The teams will be accredited and delegated additional powers to enforce the PSPO, with full training, suitable equipment and guidance supplied.
29. The implementation of these orders will in themselves provide a deterrent for some and it is anticipated that enforcement will be a final resort with officers initially engaging with individuals and educating visitors and residents in acceptable behaviours.
30. The introduction of PSPOs provides the opportunity to deter antisocial behaviour from occurring and to prevent the escalation of more serious antisocial behaviour being committed, and helps people to feel safe in public spaces.
31. There will be signage in all areas and this together with robust communication and education will be key in supporting our preventative approach to keeping residents and visitors safe.
32. Where enforcement is necessary officers will have the benefit of Community Safety Accreditation Scheme (CSAS) delegated powers from Dorset Police to empower them to require names and addresses for an offence, of which a breach of the PSPO is included. Further powers include requiring name and address for those committing anti-social behaviour, require name and address for those begging and confiscation of alcohol from those under 18. Under another designated PSPO, officers will also be devolved powers to seize alcohol from those acting, or likely to act in an anti-social manner. It is an offence to comply with the direction or request of an authorised officer.
33. Feedback received from the Equalities Impact Panel advise that any enforcement is subject to oversight and monitoring to record outcomes and assess impacts on anyone with protected characteristics. This should be collated and will be useful when any PSPO is reviewed as they are in force for three years and then must be reassessed. It is proposed that the Partnership Co-ordinating Group undertakes this function on a quarterly basis.
34. Feedback from EIA panel suggested having a general reasonable excuse exemption which could capture homeless and rough sleepers, religious events, protests and others where the excuse for the behaviour is reasonable such as where mitigated by a protected characteristic. This is already provided within the legislation and in every proposed Order, which states that an offence only occurs if the person 'without reasonable excuse' does something prohibited by the order. This ensures no prosecution or FPN is issued in any cases where the person has a reasonable excuse which could include behaviour due to a protected characteristic.

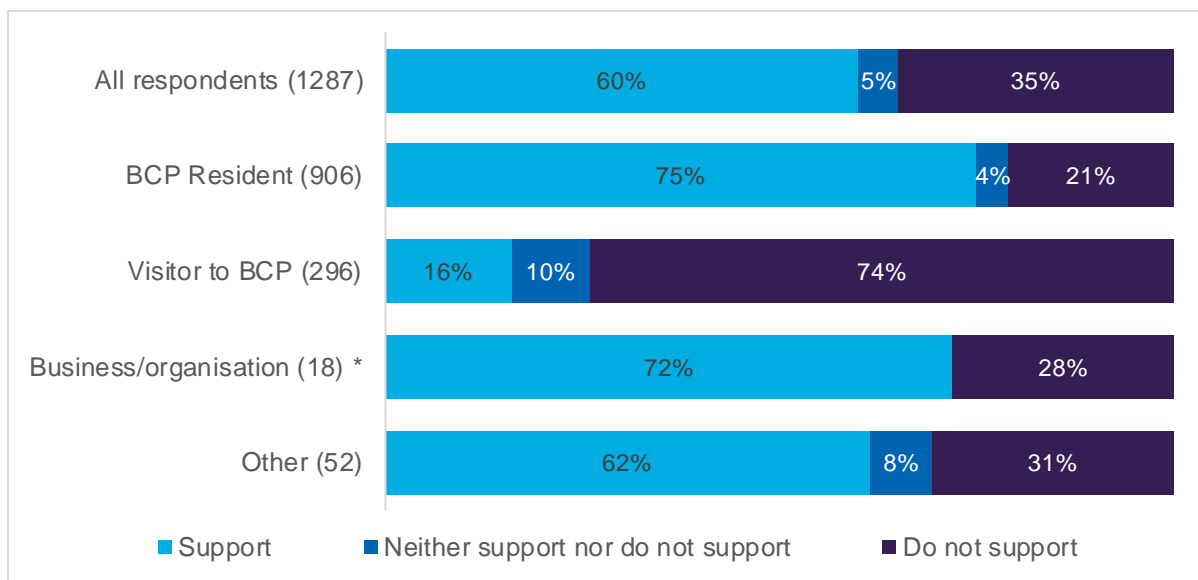
Open Spaces PSPO feedback and assessment

Overall Assessment

35. The chart below show the overall respondent type by personal characteristic.



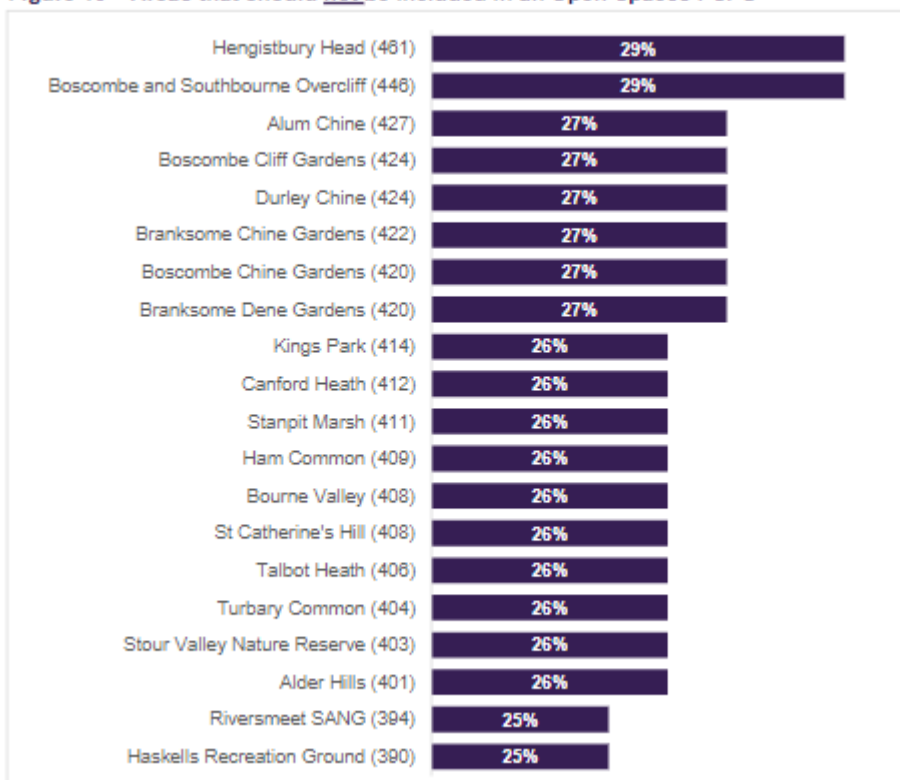
36. Overall, 60 % of respondents supported this proposal. There was no real difference between genders with support at around 61%.
37. The age profile shows greatest support in those aged 45 – 54% rising to 89% in those aged over 75 -85. There was significantly less support from those aged 25-34 with just 24% in support.
38. Respondents who are heterosexual are significantly more likely to support a PSPO in coastal areas (66%) compared to those who are lesbian, gay, bisexual or other sexual orientation (41%). This is likely to be associated with age as respondents from the LGB community are more commonly from the younger age groups. Looking at the data further we can see that those respondents from the LGB community who are under the age of 44 are more likely to not support the principle of introducing a PSPO in open spaces, whereas those over the age of 45 are more likely to support it.
39. Christians are significantly likely to support the proposal at 76% with others from no religions not supporting the proposals at 61%.
40. The chart below shows to what extent is the principle of the Open Spaces PSPO being introduced supported by respondent type.



41. Three fifths of respondents support the principle of a PSPO to some open spaces. Residents (75%) and business organisations (72%) were more likely to support than visitors at (16%)

These areas were listed that respondents felt should not be included within the proposed PSPO

Figure 10 – Areas that should not be included in an Open Spaces PSPO



42. The three areas that were chosen by the most respondents, and therefore the areas people feel should not be included in an open spaces PSPO are Hengistbury Head (29%), Boscombe and Southbourne Overcliffe (29%) and Alum Chine (27%).
43. In addition there were 81 respondents who suggested other areas that could be included as well as 41 pins placed on the interactive map. These suggested the addition of areas such as Kinson common, all local SANGS and nature reserves, Gravel Hill/Delph Woods and Merely Park Road.

Options

Locations of PSPO cover

44. The original sites brought forward for consideration had supporting evidence provided by the rangers who patrol the open spaces, and these represented the highest risk in terms of impact on our services and the sites themselves.
45. The suggested additional sites do not have the same evidence of risks of fire and litter.
46. Due to lack of evidence of issues relating to fires, overnight camping or sleeping in the additional areas proposed, it would not be lawful for the Council to extend the area of the PSPO and therefore this option is not presented.
47. The areas that respondents felt should be omitted, such as Hengistbury Head, Boscombe and Southbourne Overcliff and Alum Chine have evidence to suggest that fires and overnight sleeping are an issue. There is an option to remove these areas from the PSPO based on responses, however this creates the risk of the issues continuing and the associated environmental impact continuing.
48. Should other areas become an issue, or subject to displacement, the PSPO can be varied should new evidence of need be gathered.

Recommendations

1. **It is recommended that the areas of coverage of the open spaces PSPO remain as per the consultation and are not amended. This is based on the evidence of issues.**

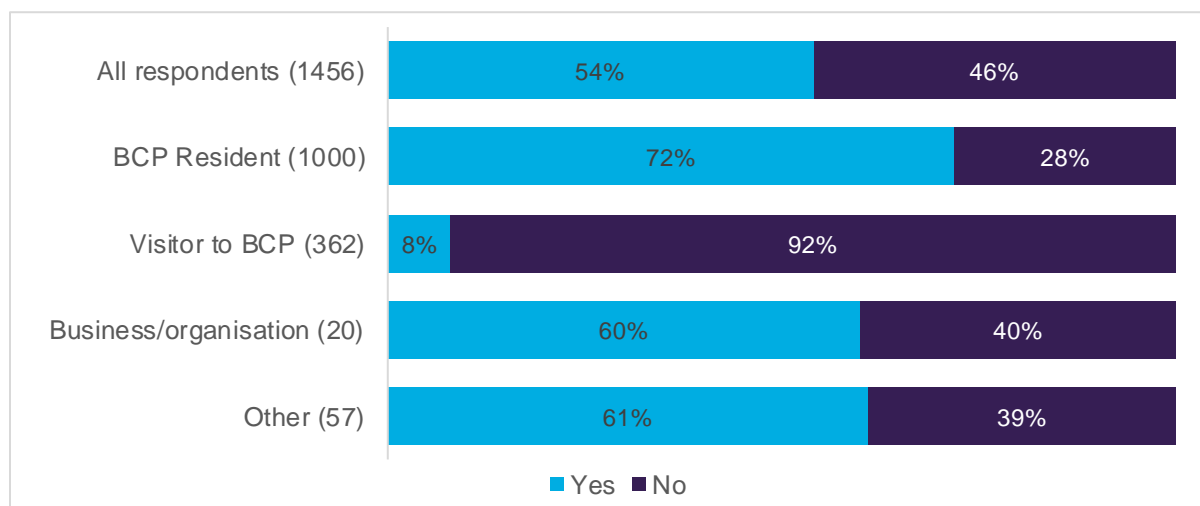
Overnight camping, staying or sleeping with or without a tent or gazebo in the designated areas covered by the PSPO without the permission of the landowner.

Prohibition

49. No person(s) must erect a tent or gazebo or sleep within the “Designated Area” between the hours of 21:00 and 06.00.

Assessment of Feedback

50. The chart below shows to support for the ban on overnight camping by respondent type.



51. There were 358 comments about the proposed ban on overnight camping. Analysis of the comments show that some were related to camping in vehicles and not in tents on open land.
52. 22 respondents commented that camping should not be banned as this will only effect those who camp and leave no trace.
53. This proposal received overall support from 54% of respondents. When looking at the respondent type, residents, business and other respondents all supported the proposal at levels of 60% and over, however this is not similarly supported by visitors, where 92% of respondents did not support the proposal. Ages 16-64 had less than 60% support in all age ranges, whereas ages 65-85+ all over 80% support

54. Those sleeping in open spaces are more likely to be in younger age groups, who were considerably less supportive.
55. Concern was raised within the consultation responses on a disproportionate affect on gypsy and traveller communities and homeless persons. Both a formal representation and 59 comments were against the proposal because people sleep in vehicles and camp due to a variety of circumstances including homelessness.
56. Concern was also raised as to the impact of detrimental behaviours and whether the scale of the issue justifies the prohibition.
57. When looking at the comments associated with this proposal it is noted that 78 comments did not relate to this proposal but rather the Highways and Car Parks PSPO relating to sleeping in vehicles.
58. Additional comments suggested creating designated areas to allow camping. This was considered by the Strategic Lead for Greenspaces and Conservation, who advised that while it is recognised that there are currently few viable alternatives to camping within BCP, our green spaces as Public Open Space are not designed to be run as camp sites, as there is a public right of access.
59. As with the coastal PSPO the issue of a potential impact on individuals who are homeless or rough sleeping was identified and highlighted within the Equalities Impact Assessment. This has implications under the Public Sector Equality Duty.
60. On further assessment of the feedback and evidence, although there is evidence that sleeping in open spaces is persistent, the detrimental behaviours attached to this activity, and the evidence base to support this prohibition, is minimal.

Options

61. There is an option to remove this condition from the PSPO based on feedback. Although residents are more supportive than visitors, overall feedback of those aged 16-64 are not supportive.
62. There is an option to add an exemption to this condition for those who are genuinely homeless and to ensure staff are trained to signpost persons to support agencies.
63. There is an option to undertake a feasibility assessment of a designated place within BCP for overnight sleeping in open spaces where this behaviour would be permitted and suitable facilities would be provided.

Recommendations

- **It is recommended that this behaviour is not prohibited within the PSPO due to lack of public support, lack of evidence of detrimental behaviour and potential equalities impact.**
- **It is recommended to undertake a feasibility study to consider suitable sites where camping can be designated within BCP.**

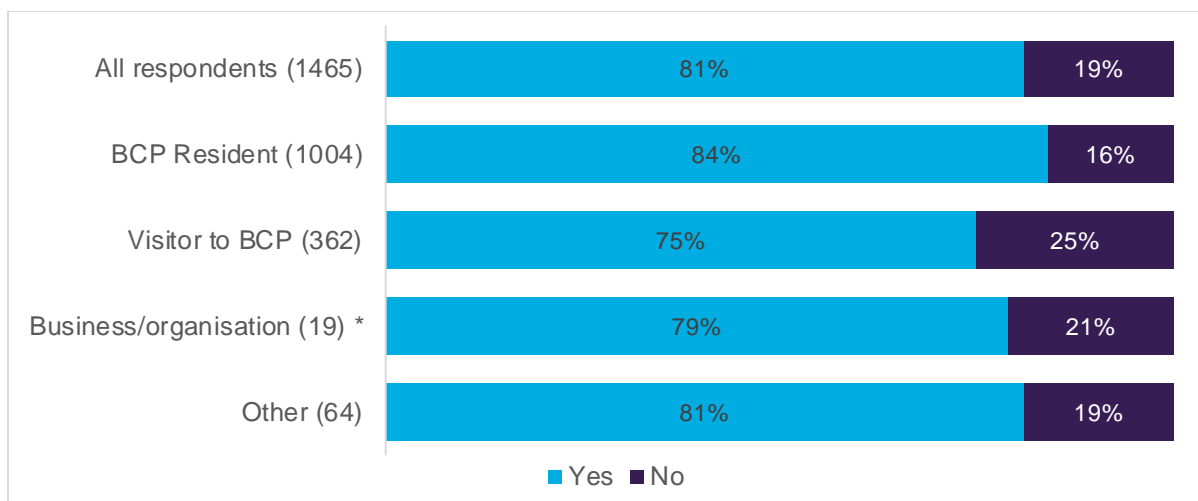
Lighting open fires and BBQs.

Prohibition

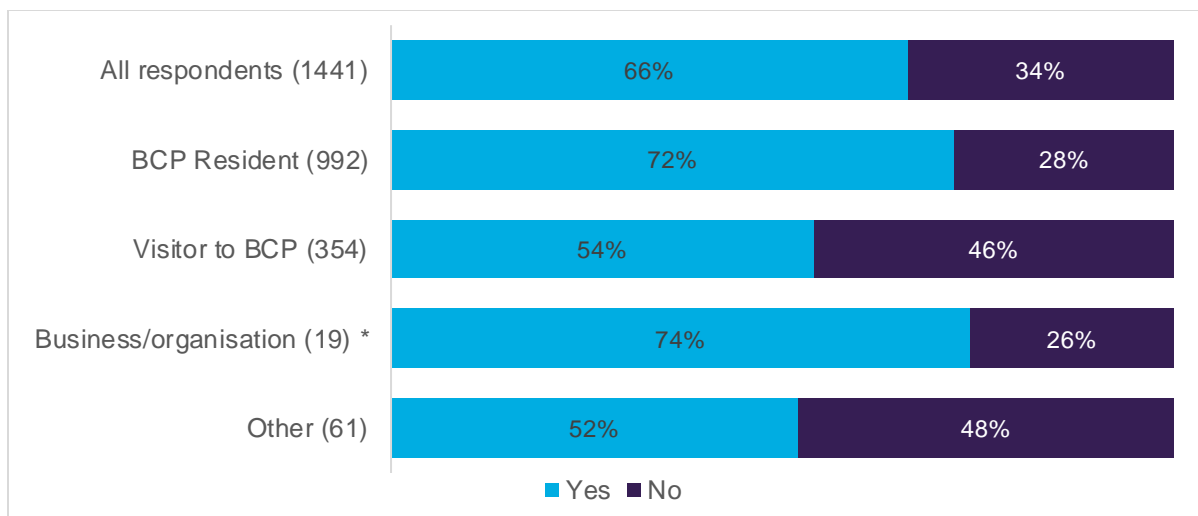
64. No person shall place, throw or drop in the “Designated Area”, anything likely to cause a fire.
65. No person shall light a fire, and/or barbeque (including a disposable barbecue) in the Designated Area”.
66. No person shall use any item in the Designated Area” which either
 - (i) causes a naked flame or
 - (ii) poses a risk of fire.

Assessment of Feedback

67. The chart below shows to support for the ban on lighting fires by respondent type.



68. The chart below shows to support for the ban on lighting BBQ by respondent type.



69. The support for a ban on the lighting of any open fires was supported by 81% of respondents and this support is reflected by all respondent types by over 75%.
70. The ban on lighting any BBQ was supported by 66% of all respondents. Support for the ban was higher amongst residents and businesses at over 72%, whereas visitors supported this ban at a lower level of 54%, with others at 52%
71. There were 181 comments about this proposal this included comments relating to beach hut owners, which are not relevant to this PSPO.
72. Comments were made about banning the use of disposable BBQ's and the safety risks posed by open fires and BBQs.
73. Fires on Public Open Spaces have caused huge damage to wildlife and habitats in recent years, Dorset and Wiltshire Fire and Rescue Service advised that during 2022 the fire service attended 231 wildfires this is an increase of 83.3% on the same period in 2021.
74. 16 respondents suggested that BBQ's could continue to be permitted in designated areas or that the Council could provide cooking facilities such as they do on the seafront to support visitors.
75. Concern was raised that this prohibition could disproportionately affect those that are homeless. Where a person is suspected of being homeless, engagement, support and education will be offered as per the enforcement protocol.

Options

76. Due to a majority support for this condition and the significant environmental impact, the option to remove this prohibition is not considered.

77. An option to consider designated areas for cooking facilities is not presented. Due to the remote locations of open spaces, alternative suitable cooking facilities such as electric BBQs or stoves would not be feasible. Other cooking options such as gas stoves or designated BBQ areas still present considerable risk especially during wildfire alerts.

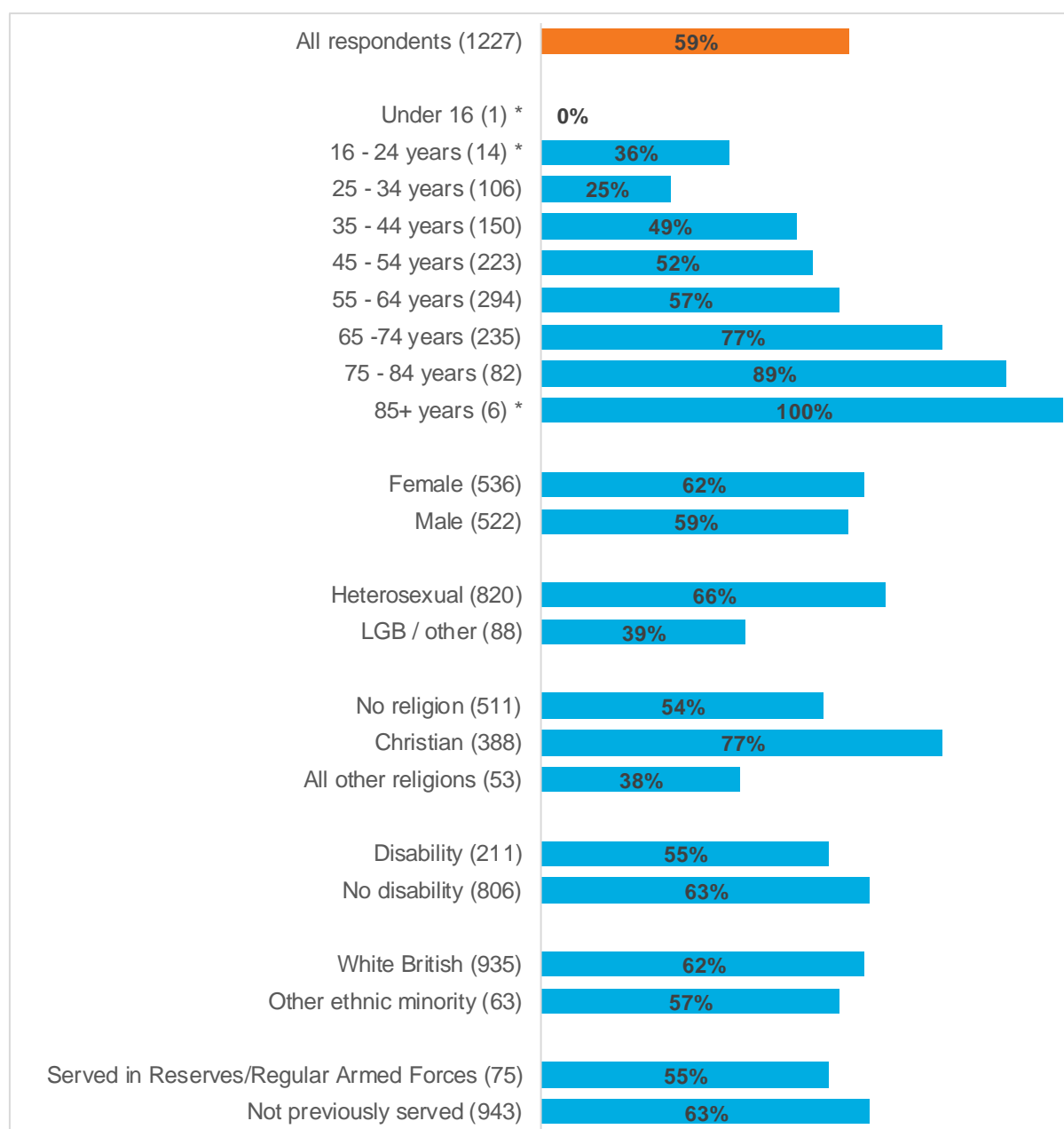
Recommendations

- **Whilst feedback is acknowledged, the risks posed by this activity support the implementation of this proposal. It is therefore recommended to retain the proposal without any amendment.**

Highways and Car Parks PSPO feedback assessment

Overall Assessment

78. The chart below shows the support for the highways and car parks PSPO by personal characteristic.

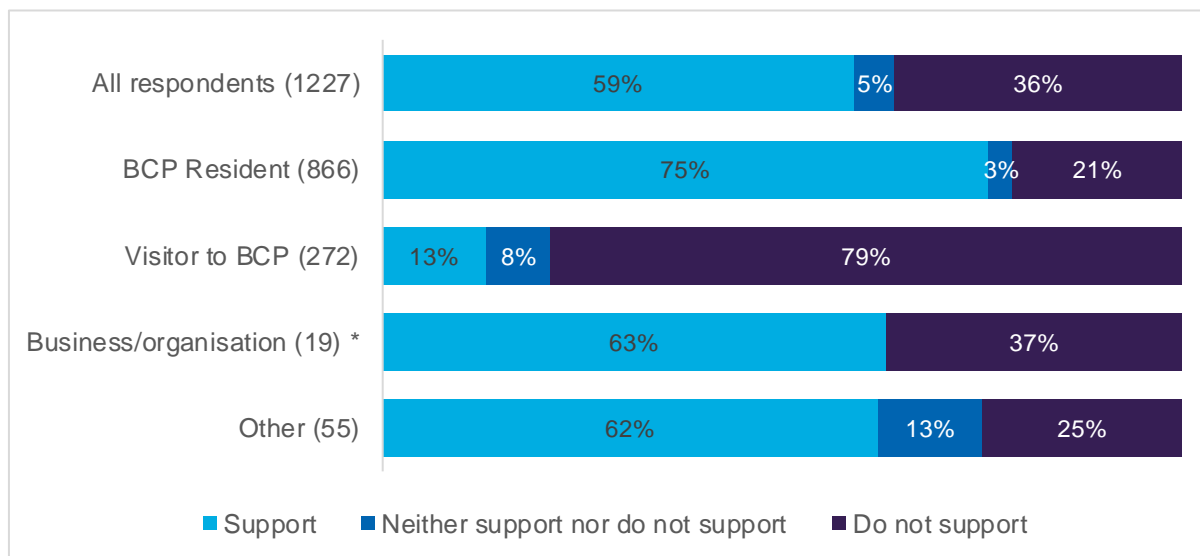


79. Overall, 59 % of respondents supported this proposal.

80. The level of support for the proposals increases with age with 25% of those aged 25-34 supporting the proposal and 100% of those 85+ supporting the proposal. Ages 0-54 are 52% in support or

less, ¼ of respondents are in support of more than 77% with the remaining ¾ of respondents supporting 57% or less.

81. Respondents who are heterosexual are significantly more likely to support a PSPO in coastal areas (66%) compared to those who are lesbian, gay, bisexual or other sexual orientation (39%.) This is likely to be associated with age as respondents from the LGB community are more commonly from the younger age groups. Looking at the data further we can see that those respondents from the LGB community who are under the age of 44 are more likely to not support the principle of introducing a PSPO in highways and car parks, where as those over the age of 45 are more likely to support it (with the exception of those aged 55-64 from the LGB community who are divided with 47% supporting and opposing the principle).
82. Christians are significantly likely to support the proposal at 77% with others from no religions not supporting the proposals at 73%.
83. The chart below shows to support for the highways and car parks PSPO by respondent type.



84. Overall, this PSPO received the least support, 59% overall with 79% of visitors not in support. This is a significantly higher lack of support compared to all other respondent groups.

Recommendations

- **Due to the lack of overall support, lack of evidence of detrimental behaviours and concern raised on equality impacts, it is recommended this PSPO is not implemented.** Further assessment of each behavioural prohibition to support this recommendation, are below.

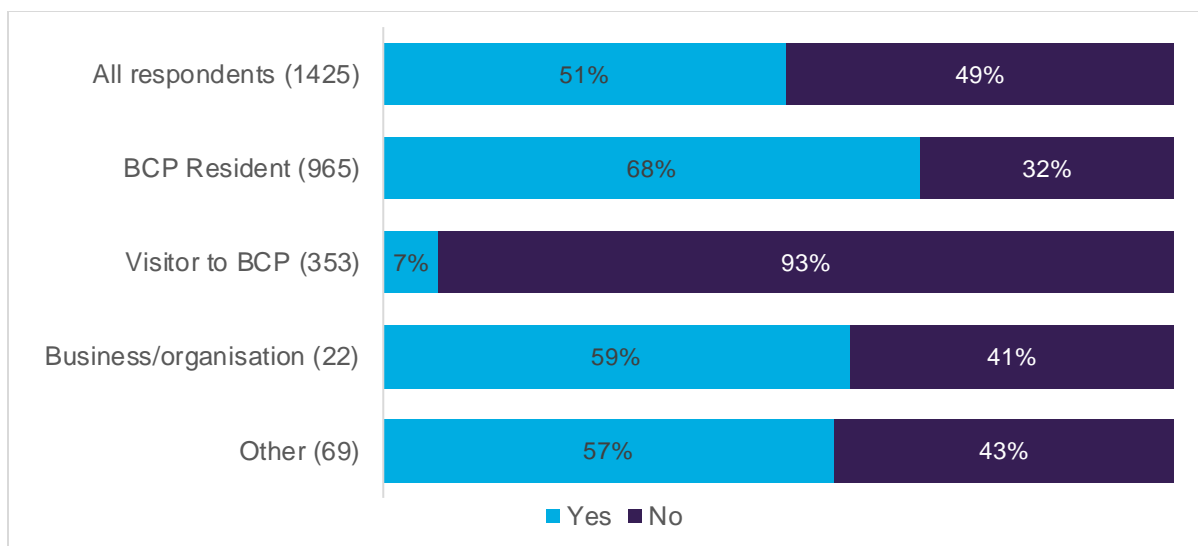
Overnight sleeping or staying in a vehicle.

Prohibition

85. A person must not sleep and/or stay overnight in their vehicle between the hours of 21:00 and 07:00 in any vehicle in the “Designated Area.” (Vehicles include but are not limited to cars, vans and mobile homes.)

Assessment of Feedback

86. The chart below shows the support for the ban on overnight sleeping in vehicles by respondent type.



87. Overall this behaviour is supported by just over half of respondents, however it is clear that the majority of visitors 93% do not support this proposal.
88. Across all respondents half (51%) supported the proposal whilst half did not support the proposal. A lack of support was significantly high amongst visitors (93%).
89. The highest support for the proposal was from 75 – 84 year olds (90%) and is significantly higher than all age groups from 16 -74 years old. Those aged 25 -34 were significantly more likely to not support the ban (75%) than all older age groups. Those aged 16-64 had less than half respondents support a ban. Prohibitions would more likely impact younger age groups and visitors.
90. Respondents who do not have a disability are more likely to support the ban (55%) than those who do have a disability (45%)
91. There were 442 comments relating to this behaviour. 60 of these comments were concerned that the ban would discriminate against those that choose to live in a van or have fled home due to abuse. Other comments stated that it is not illegal to sleep in a van or even antisocial, as many vans have on board sanitation facilities. A further 38 respondents commented that the majority of people who sleep in vehicles are respectful and responsible.
92. Some concerns were raised about those who are too tired to drive or HGV drivers who legally have to park up and sleep.
93. There were additional concerns that this would dissuade people from visiting the area.
94. 63 respondents commented that rather than banning sleeping in vehicles BCP should be providing designated spaces within car parks to support those visitors with motor homes or campers having somewhere to stay and this could generate income.
95. Throughout the consultation comments highlighted residential concerns about the impacts of parking and overnight sleeping in campers and vans. Those comments supported the proposal particularly around such locations as Southbourne Overcliff, and Boscombe Overcliff stating that respondents have experienced issues with caravans and vans parking overnight and people urinating and leaving rubbish behind. Evidence of this behaviour however, is limited.
96. In the Boscombe and Southbourne Overcliff area, the Council has identified a section of highway that did not exempt campervans, which resulted in the aforementioned behaviour. The Council is trialling a traffic regulation order in 2023 in this area which will prevent campervans from parking in this area. This will not affect those who choose to sleep overnight in smaller vehicles, which are not exempt from parking by the traffic regulation order. Evidence will be gathered through this trial on any detrimental behaviours.
97. Formal representation also raised concerns about the possible disproportionate impact on gypsy and travellers to the area as well as those that are homeless.

Options

98. There is an option to remove this condition based on lack of support, lac of evidence of associated detrimental behaviour as a result of the activity and equalities concerns.
99. There is an option to consider a feasibility study for a designated area for overnight sleeping in vehicles and relevant suitable facilities in BCP.

100. There is an option to include an exemption around those who are homeless and those from the Gypsy and Traveller communities.

Recommendations

- Due to the lack of overall support, lack of evidence of detrimental behaviours and concern raised on equality impacts, it is recommended this behaviour is not prohibited.
- It is recommended to undertake a feasibility study to consider suitable sites where vehicular sleeping/ camping can be designated within BCP.

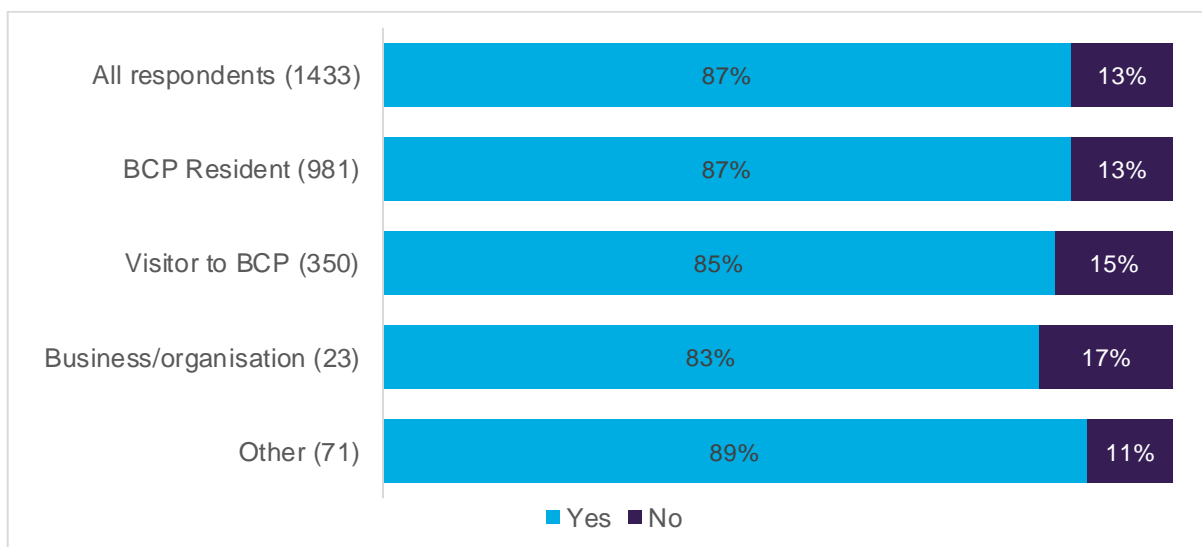
Playing loud music to include amplified or acoustic instruments or singing at levels which has a detrimental impact on others within the designated area covered by the PSPO.

Prohibition

101. A person or persons shall not play loud music to include, but not limited to, amplified or acoustic instruments or sing at levels which has or is likely to have a detrimental impact on others within “the Designated Area.”

Assessment of Feedback

102. The chart below shows to support for the ban on loud music which has a detrimental impact on others by respondent type.



103. All respondent types generally support a ban on playing loud music which has a detrimental impact on others under a Highways and Car Parks PSPO.
104. The age of respondents does indicate that the proposal is more likely to impact on younger people however there is a majority of support. All age ranges had over 53% in favour. Ages 35 and above had over 78% in favour.
105. 56 comments were made relating to this, they amounted to supporting the ban and stating that some felt intimidated by those who play loud music and that music ruins peace and tranquillity of the local area.
106. Formal representation was received raising concern this could impact on those celebrating religious festivals or those expressing the right to protest.
107. On further assessment of the evidence, there is no direct evidence of loud music from vehicles on the highway. Therefore, the legislative requirements to designate this behaviour within a PSPO are not met.
108. Dorset Police have a targeted operation, Operation Charge, that deals with vehicle based anti-social behaviour, this does not report concerns around music and is more focused on loud vehicles and anti-social driving.

Recommendations

- Due to the lack of evidence of detrimental and therefore not meeting the legislative requirements of a PSPO, it is recommended this behaviour is not prohibited.
- It is recommended to undertake a feasibility study to consider suitable sites where vehicular sleeping/ camping can be designated within BCP.

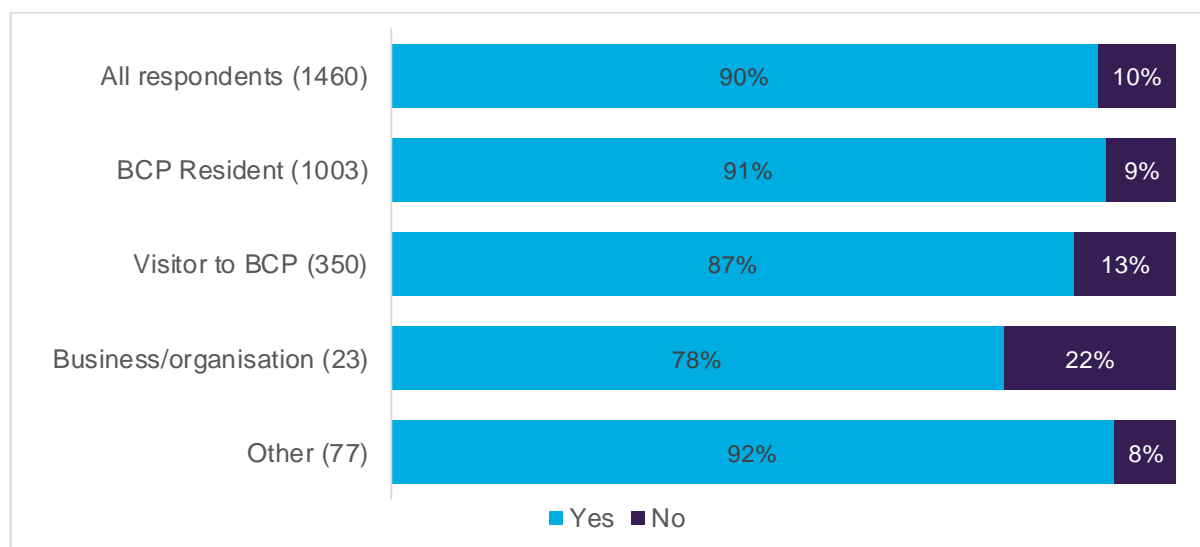
To act in a manner which has a detrimental impact on others in the locality which includes but is not limited to, fighting swearing spitting, and causing intimidation either by an individual or a group within the designated area covered by the PSPO.

Prohibition

109. No person shall behave in a manner which has a detrimental impact on others in the locality in the “Designated Area”. Such behaviour includes but is not limited to, fighting, swearing, spitting, and causing intimidation either by an individual or a group.
110. No person who has previously been warned regarding their behaviour in relation to this behaviour shall refuse to leave a designated area when requested to do so by an Authorised Person.

Assessment of Feedback

111. The chart below shows to support for the ban acting in an antisocial manner that has a detrimental impact on others by respondent type.



112. All respondent types generally support a ban on acting in an anti-social manner which has a detrimental impact on others under a Highways and Car Parks PSPO.
113. The age of respondents indicates that the proposal is more likely to impact on younger people, however there is a majority of support.
114. It is the minority of individuals and groups who are acting in an unacceptable manner who would be impacted, the majority of people would not be impacted.
115. Antisocial behaviour is subjective and as such officers will need to be trained to ensure that they obtain the full facts and witness the alleged behaviours before any action is taken.
116. With regard to the ban of behaving in a manner which has a detrimental impact on others in the locality there were 117 comments. Those in support suggested these rules will help stop antisocial behaviour from escalating and others suggested additional areas the proposal should apply.

117. Comments not supporting the ban suggested there were existing laws to deal with this and it could prevent people from socialising. In cases where complaints are received about behaviours impacting on others.
118. On further assessment of the evidence, there is no direct evidence of loud music from vehicles on the highway. Therefore the legislative requirements to designate this behaviour within a PSPO are not met.

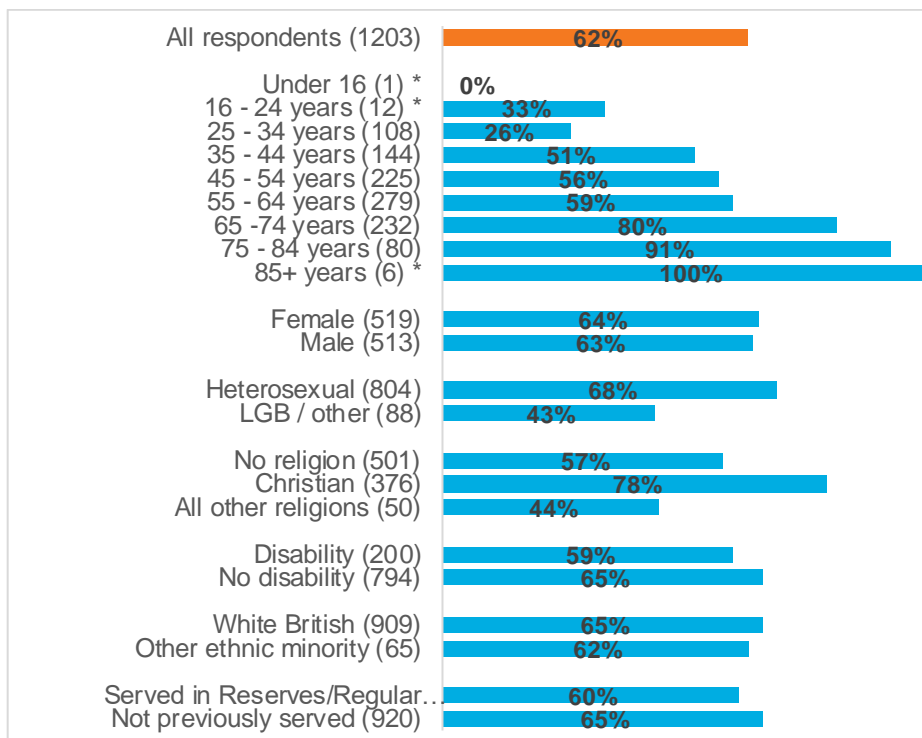
Recommendations

- **Due to the lack of evidence of detrimental and therefore not meeting the legislative requirements of a PSPO, it is recommended this behaviour is not prohibited.**
- **It is recommended to undertake a feasibility study to consider suitable sites where vehicular sleeping/ camping can be designated within BCP.**

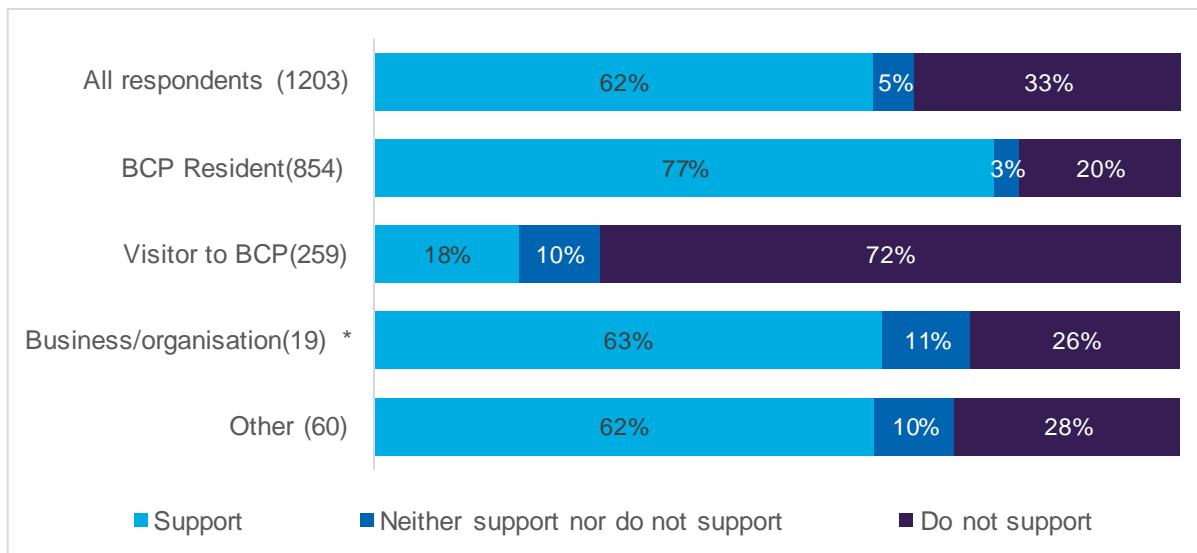
Coastal PSPO feedback assessment

Overall Assessment

119. The chart below shows the support for the highways and car parks PSPO by personal characteristic.



120. Overall, 62 % of respondents supported this proposal.
121. The age profile shows greatest support in those aged 45 at 56% rising to 100% in those aged over 85. There was significantly less support in those ages below 25 at just 26% in support. This may be due to the perception that the behaviours are targeted at behaviours that are anecdotally more likely to be undertaken by young people. 996 respondents were more than 50% in favour.
122. The chart below shows to what extent the principle of the Open Spaces PSPO being introduced is supported by respondent type.



123. When we look closer at the consultation responses within the report we see that over three quarters of BCP residents supported the coastal areas PSPO proposal this is significantly higher than those who identified as visitors at 18% and other respondents who supported it at 62%.

124. Feedback via the interactive map showed several comments suggesting extending the designated area of this PSPO to include Poole Inner harbour which would address displacement from the main beach particularly around sunset. This area is also known as Kite Beach. Evidence is prevalent of ASB in this area to include significant anti-social behaviour covered in both local and national media.

125. Generally, Mudeford Spit came out with the highest response for not being included within the PSPO and there were 42 comments from beach hut users especially those on Mudeford. Reasons for this included the use of BBQ's which are the only form of cooking available to those living within the beach huts. Considerations are made around the BBQ prohibition in relation to these comments.

Options

126. The option to extend the areas to cover additional areas suggested in order to address displacement that is likely due to close proximity to covered areas and previous evidence.

Recommendations

- It is recommended that an amendment to the PSPO area is made, to include Poole and Sandbanks inner harbour/Kite Beach

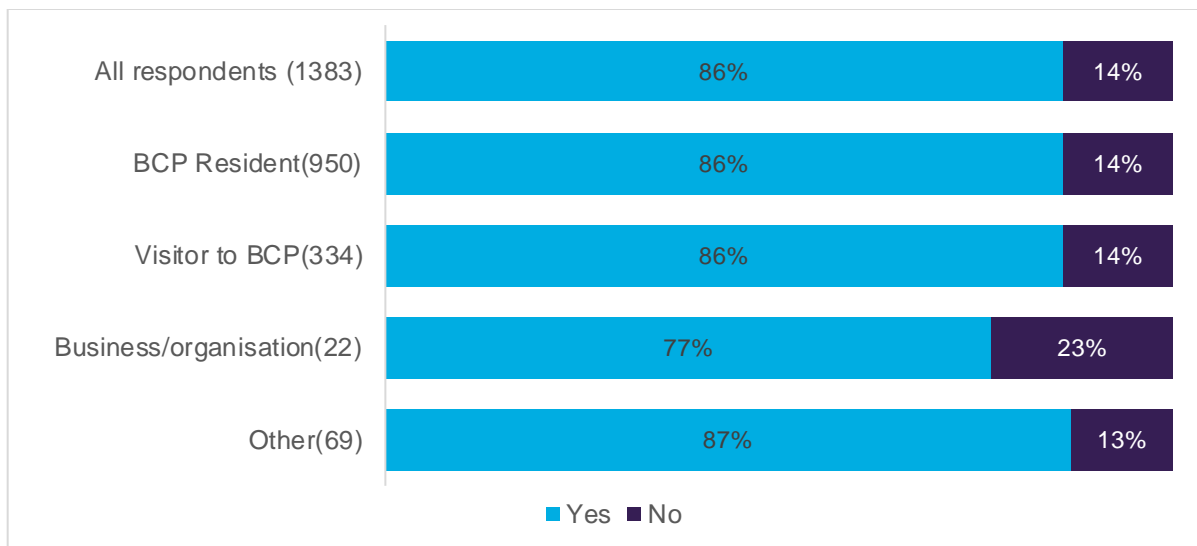
Playing loud music to include amplified or acoustic instruments or singing at levels which has a detrimental impact on others within the designated area covered by the PSPO.

Prohibition

127. A person or persons shall not play loud music to include, but not limited to, amplified or acoustic instruments or sing at levels which has or is likely to have a detrimental impact on others within "the Designated Area."

Assessment of Feedback

128. The chart below shows to support loud music which has a detrimental impact on others by respondent type.



129. Generally, the restriction and targeting of this behaviour when it adversely impacts on others is supported by over 75% of all respondents.
130. Support was highest amongst the ages 35 and above, the younger demographic was least likely to support the proposal. Ages 35 and above had over 77% in favour, whereas ages 16-24 were only 44% in favour and 25-34 were 57% in favour.
131. The ages of respondents do indicate that the proposal is more likely to impact on younger people, however most responses support the proposal.
132. The introduction of the PSPO does not prevent anyone from gathering on the beach and enjoying playing recorded or live music in a responsible manner. Enforcement, when necessary, will target those minority of instances where the activity is unreasonable and adversely impacting on others.
133. Feedback received detailed that the condition around not playing loud music was subjective and Counsel opinion supports this, suggesting that the breach of PSPO is the failure to turn down music when asked to do so by an authorised officer.
134. Although there is a perception that this prohibition may impact on young people, in practice the application of the PSPO will impact on those individuals who fail to comply with officers who have already engaged to requested them to cease the behaviour impacting on those around them.
135. It is anticipated that young people would not be causing issues but where complaints are received in the majority of instances, they would comply with Officers requests before there was any need for formal engagement.
136. A number of incidents in the evidence based also showed wider anti-social behaviour and it is hoped by targeting this behaviour, wider detrimental behaviours will also reduce.
137. Some feedback related to concerns about the prohibition being open to interpretation and that the proposal was authoritarian. The main purpose of the proposal is to address those instances where individuals or groups of people play music at levels that have a negative impact on those around them. Any enforcement undertaken will be undertaken by front line staff who will have experience with positive engagement techniques, and they will be provided with training. They will use their discretion based on the circumstances of each case.
138. One respondent mentioned the volume of music from larger Council run events while two suggested areas where loud music could be played such as volleyball courts.
139. The proposal includes an exemption of playing music with the permission of BCP Council. Events are subject to strict controls including sound levels and monitoring and go through a formal approval process prior to the event taking place.
140. There were three comments about the need to tackle drugs and alcohol use as well as littering and graffiti.
141. There is already an alcohol PSPO in force for the BCP area and Authorised Officers will receive training and support to be able to also enforce the existing PSPO. Drug related activity is a police led action with primary legislation held by the police to address.
142. Littering is not included within the proposal however there is legislation that can be used which allows the issuing of FPN and there is a contract in place which is addressing this.

143. Comments were made around signing and how detrimental this behaviour actually is, and based on consideration of evidence and feedback, it is proposed that singing is not included in the final order.

Options

144. The option to remove the word signing from the proposal to ensure behaviours targeted will cause nuisance and be detrimental.
145. The option not to proceed with this behaviour within the PSPO due to lack of support from younger age groups.

Recommendations

- **Based on the overall support and evidence of the issue, it is proposed to implement this condition within the Coastal PSPO.**
- The main purpose of this prohibition is to address music being played in a manner that has a negative impact on those in the vicinity (which will lead to complaints to the Authorised Officer) to ensure the prohibition is clear and unambiguous **it is recommended that the prohibition is reworded to remove the reference to singing.**
- **It is recommended that the prohibition is reworded and states: A person or persons shall reduce the volume of music of which they have control, when asked to do so by an authorised Officer within the “Designated Area.”**

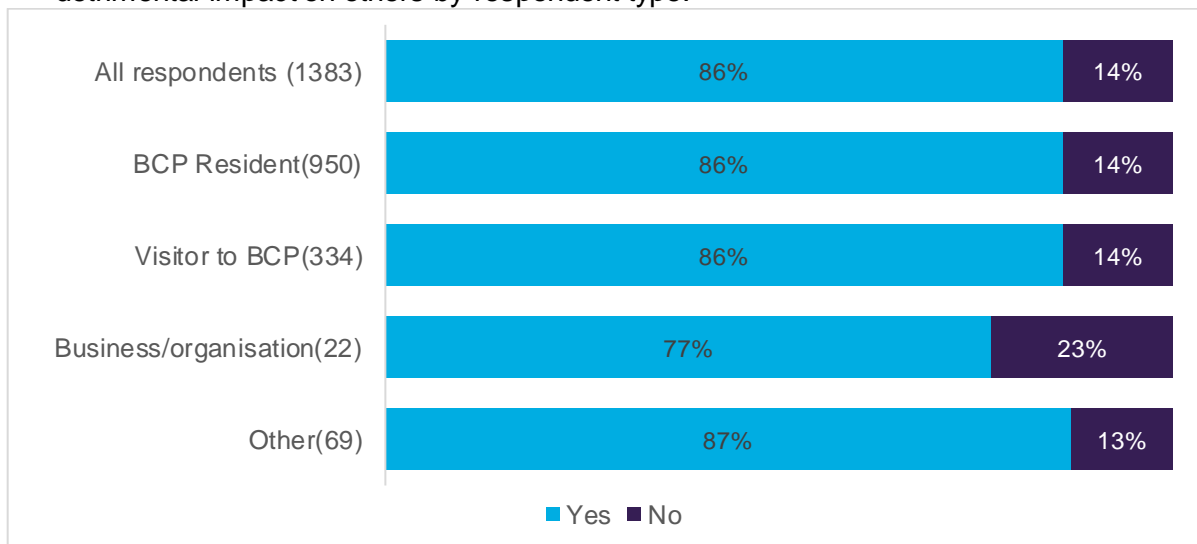
To act in a manner which has a detrimental impact on others in the locality which includes but is not limited to, fighting swearing spitting, and causing intimidation either by an individual or a group within the designated area covered by the PSPO.

Prohibition

146. No person shall behave in a manner which has a detrimental impact on others in the locality in the “Designated Area”. Such behaviour includes but is not limited to, fighting, swearing, spitting, and causing intimidation either by an individual or a group.

Assessment of Feedback

147. The chart below shows to support for a ban on acting in an antisocial manner which has a detrimental impact on others by respondent type.



148. Generally, the restriction and targeting of this behaviour when it adversely impacts on others is supported by over 85% of all respondents.
149. Support was highest amongst the ages 35 and above, the younger demographic was least likely to support the proposal, however those aged 25 and above all supported above 71%
150. The age of respondents does indicate that the proposal is more likely to impact on younger people, however there is a majority of support.
151. This proposal is not intended to prevent anyone from enjoying the coastal areas, this includes young people gathering together. The proposal is seeking to ensure everyone in the public areas can enjoy our beaches and seafront.
152. The proposal seeks to address the minority of cases where individuals and/or groups who are acting in an unacceptable manner and refuse to engage or co-operate with Authorised Officers. The majority of young people attending our beaches do so without incident and that will continue.
153. ASB is subjective and as such officers will always seek to establish the facts of each case and engage with all those involved to establish if there is any breach of the PSPO and to initially engage and educate to seek informal compliance before having to take any formal action.
154. There are over 100 incidents of anti-social behaviour in the coastal areas in 2022. These relate to aggressive and abusive behaviour, urination and defecation, fights and youth related anti-social behaviour. Dorset Police have primacy over crimes such as fighting.
155. Counsel advice suggested the refinement of conditions to ensure they are enforceable and can be evidenced and therefore recommendations are made to amend the order.

Options

156. Given the strong level of support and strong level of evidence, the only option is to include this action within the PSPO.
157. Alternative legislative tools under the Anti-Social Behaviour, Crime and Policing Act 2014 could be utilised, such as Community Protection Warnings, however, these require action after ongoing evidence of detrimental behaviours and do not act as a deterrent or allow for immediate action following anti-social behaviour.

Recommendations

- **Based on the overall support and evidence of the issue, it is proposed to implement this condition within the Coastal PSPO.**
- **It is recommended that the prohibitions are reworded and state:**
 1. **No person shall be, or encourage others to be, aggressive towards other persons or be verbally abusive, including swearing in an aggressive manner in the “Designated Area.”**
 2. **A person or persons shall reduce the volume of music of which they have control, when asked to do so by an Authorised Officer within the “Designated Area.”**
 3. **A person or persons must not urinate or defecate anywhere other than public toilets in the “Designated Area.”**

Note the clause regarding music is to be included within other anti-social behaviour clauses.

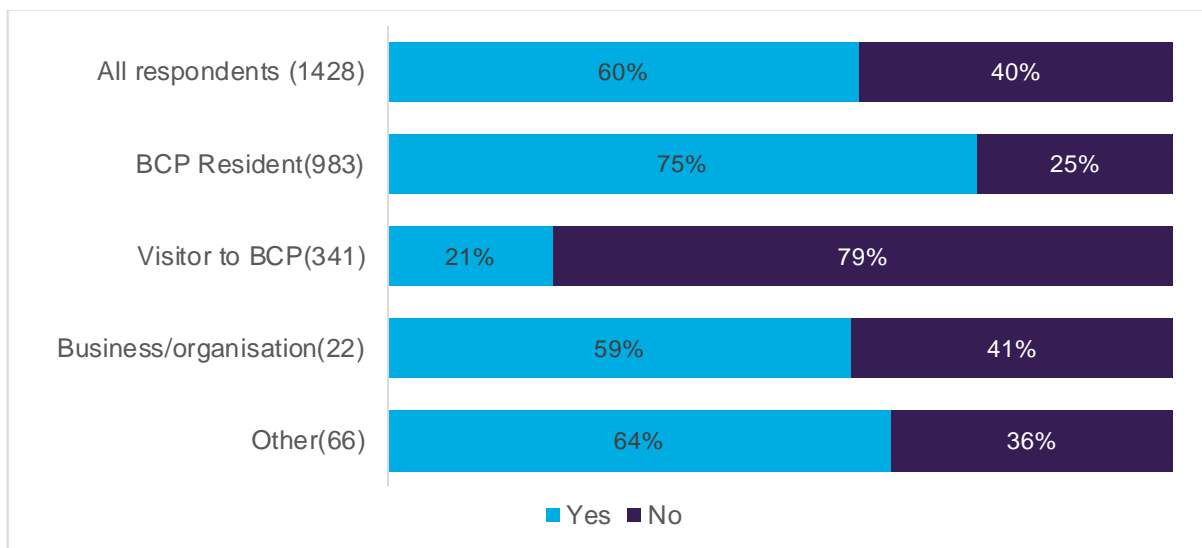
Overnight camping, staying or sleeping with or without a tent or gazebo in the designated areas covered by the PSPO without the permission of the landowner.

Prohibition

158. A person must not erect any tent or gazebo in the designated areas covered by the PSPO between the hours of 21:00 – 06:00.

Assessment of Feedback

159. The chart below shows to support for a ban on overnight sleeping with or without a tent by respondent type.



160. Although 60% of all respondents supported the ban of overnight camping, there is a clear split in support between residents; 75% who support the ban and the 79% or visitors who do not support the ban.

161. The ages of both residents and visitors supporting the ban shows support decreases with age with those aged 25-34 least likely to support the ban with 74% opposed and 55% of 35-44 year olds opposed, whereas those aged 65+ support the ban by at least 75 – 100%.

162. There were 31 comments relating to this behaviour. Many of these comments related to the Highways proposal to ban overnight sleeping in vehicles, however those that related to the coastal areas made suggestions that the council should provide a designated camping area.

163. Those comments that did relate to this proposal raised concerns around the cost of living, and sleeping on the beach was supported due to the high costs of hotels in peak season.

164. Others suggested the provision of a Council run designated area of beach to allow camping with the necessary toilet provision.

165. Other comments related to the possible impact of this proposal on rough sleepers, this was reflected in the formal representation from Liberty. This was identified and highlighted within the Equalities Impact Assessment and has implications under the Public Sector Equality Duty.

166. On further assessment of the feedback and evidence, although there is evidence that sleeping in open spaces is persistent, the detrimental behaviours attached to this activity, and the evidence base to support this prohibition, is minimal.

Options

167. The option to reconsider designated areas for overnight beach sleeping through a feasibility study.

168. The option to include an exemption for those that are homeless in order to ensure there is no negative impact on this group.

169. The option to continue to address this behaviour through bylaw enforcement and gather further consider wider enforcement options in the Autumn.

Recommendations

- It is recommended that this behaviour is not prohibited within the PSPO due to lack of public support, lack of evidence of detrimental behaviour and potential equalities impact.
- It is recommended to undertake a feasibility study to consider suitable sites where camping can be designated within BCP.

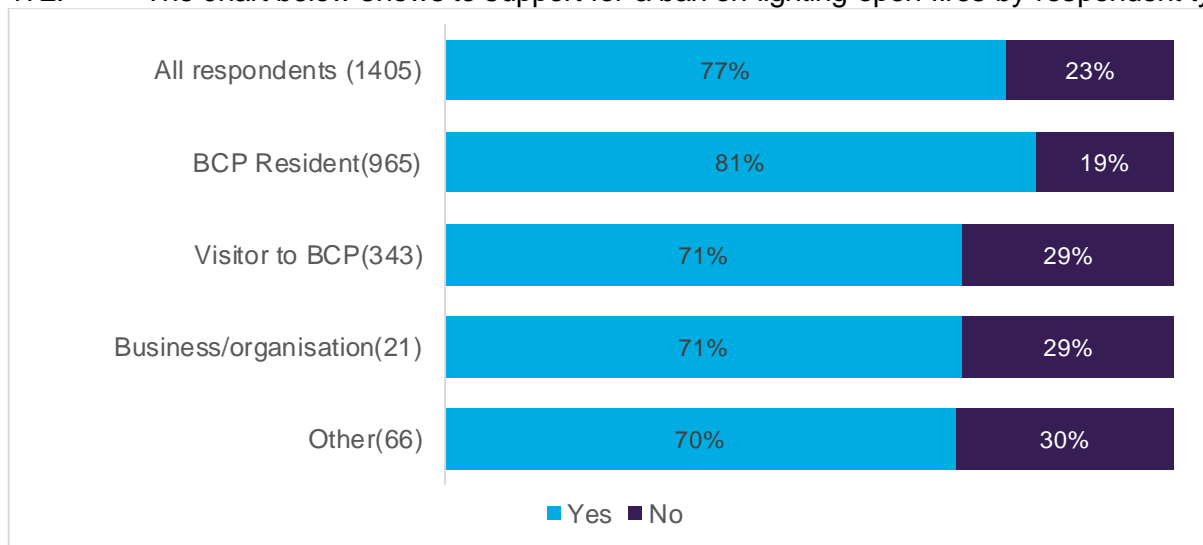
A person or persons are prohibited from the following activities: the lighting of fires; barbecues; or using any article/object which causes a naked flame, and which poses a risk of fire.

Prohibition

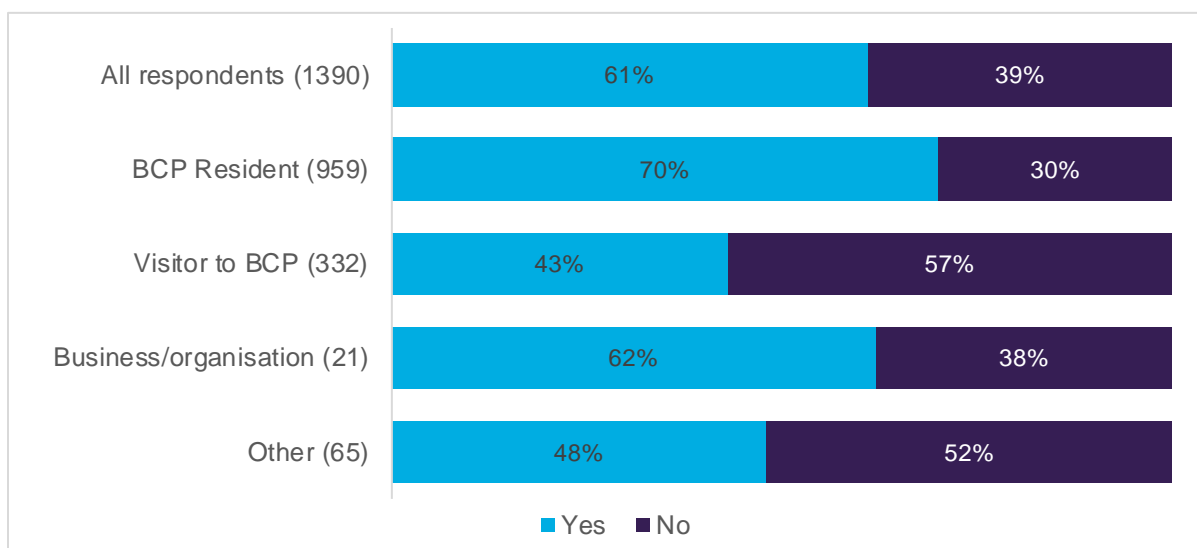
170. No person(s) shall light an open fire in the “Designated Area” at any time.
171. No person(s) shall use a BBQ between the hours of 07:00 - 18:00 in the “Designated Area”.

Assessment of Feedback

172. The chart below shows to support for a ban on lighting open fires by respondent type.



173. The proposal to ban the lighting of open fires was supported by over 75% of all respondents and across respondent types, received support from all at levels of 70% and over.
174. The chart below shows to support for a ban on lighting open fires by respondent type.



175. The ban on the use of BBQ during peak beach use times was supported by 61% of respondents. With higher support from residents (70%) and businesses (62%) than visitors (43%) and others (48%)
176. An additional question was asked to capture thoughts on different times of the ban, responses to this showed support for a total ban at 35% of respondents and 29% were happy with the proposed times as stated. Other suggestions received less than 8% of responses.
177. Out of 225 comments, 83 respondents said there should be no ban at all, whereas 123 respondents supported restrictions or a ban with conditions, many of which related to the type of BBQ (electric only) and restrictions around the hottest part of the day, increasing the ban from 6pm to later as there can still be families at 7pm or even 8 pm.
178. There were also 575 comments relating to this proposal most of which related to the use of BBQ on the beach. This included over 80 suggestions relating banning the use of disposal BBQ's with a further 91 comments on the inappropriate disposal of BBQs.
179. There were also a further 59 comments relating to the fire risk presented by disposable BBQ and the damage this does to wildlife and habitats, this may be more aimed at open spaces, but coastal areas including cliffs have been affected by fire in recent years.
180. Consultation with Dorset and Wiltshire Fire and Rescue Service confirmed their support for the proposals due to the high number of attendances to the seafront to bin fires caused by hot coals.
181. There were comments from 44 respondents which suggested that beach hut owners should be excluded from the ban particularly around Mudeford, as people live there during the summer and need to be able to cook food on site.
182. The seafront manager confirms that beach huts are subject to licence conditions which are currently under review and unlike other visitors, beach hut users can use facilities within the hut for cooking.
183. The Equalities Impact identified possible impacts on those who live in flats with limited access to gardens, there are electric BBQs provided on the seafront for use at any time which provides access to outside cooking facilities at any time.
184. The proposal does not prevent the use of BBQs within the coastal areas but places restrictions to ensure when residents and visitors do have a BBQ, Seafront resource will be able to more effectively oversee responsible disposal after 18:00 and many families remain until later to gather after work.

Recommendations

- **Based on the overall support and evidence of the issue, it is proposed to implement this condition within the Coastal PSPO.**
- There was mixed feedback on the suggested times as such it is **recommended to maintain the proposal as drafted to maintain the ban between the hours of 07:00 – 18:00** the effectiveness and impact on beach users can be assessed and if necessary, the PSPO can be varied.
- To address the comments regarding beach huts, it is proposed that licence agreements are amended to reflect suitable cooking options. **The draft condition should therefore be amended to “No person(s) shall use a BBQ between the hours of 07:00 - 18:00 in the “Designated Area,” except with written permission from the Council or by using Council owned electric hotplates.”**