CABINET

Report subject	**Protecting our Coastal and Open Spaces**
Meeting date	26 July 2023
Status	Public Report
Executive summary	On 14 December 2022, Cabinet resolved to proceed to public consultation for three Public Spaces Protection Orders (PSPO's.) The public consultation was launched on 23 January 2023 and ran until 19 February 2023; i) **Coastal areas including beaches, pier approaches and up to cliff tops from Ham Common peninsula to Highcliffe -** Prohibiting playing of loud music, acting in an antisocial manner, overnight camping/sleeping, lighting of open fires and BBQs. ii) **Highways and car parks, a defined area from the coast inland up to the major roads boundary road -** Prohibiting overnight sleeping in vehicles, loud music and acting in a manner which has a detrimental impact on others in the vicinity. iii) **Opens spaces as identified** – prohibiting overnight camping, fires and BBQ's Following detailed consideration of the consultation results and further examination of the evidence, the proposals have been significantly refined as outlined in this report and the options appraisal within the appendices. It is recommended that two PSPOs, and the behaviours within, are designated: **Coastal areas PSPO including beaches, pier approaches and up to cliff tops from Ham Common peninsula to Highcliffe** **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"

	4. No person(s) shall light an open fire in the "Designated Area" at any time. **5.** 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 through the use of Council owned electric hotplates." **Open Spaces** 1. No person shall place, throw or drop in the "Designated Area", anything likely to cause a fire. 2. No person shall light a fire, and/or barbeque (including a disposable barbecue) in the Designated Area". 3. No person shall use any item in the Designated Area" which either (i) causes a naked flame or (ii) poses a risk of fire.
Recommendations	**It is RECOMMENDED that Cabinet:** **i) consider the consultation response, options appraisal, Equality Impact Assessment and updated proposed Orders.** **ii) approve the implementation of the following PSPOs and behaviours:** **Coastal PSPO** – to address a loud music, intimidating and aggressive behaviour, urination and defecation and open fires and BBQs on all beach areas from Hamworthy to Highcliffe **Open spaces PSPO** – to address open fires including BBQs over twenty sites including heathland, parks and recreational areas **iii) commission a feasibility study for a designated space for vehicular sleeping, caravanning and camping**
Reason for recommendations	Public Spaces Protection Orders (PSPO's) have been identified as a means of preventing and resolving negative behaviours seen throughout the last two years of the Seasonal Response programme, delivered at peak visitor periods. Section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 permits a Local Authority to designate a PSPO if it is satisfied on reasonable grounds that conditions prescribed by the Act are met. Following an evidence assessment, it was concluded that these conditions were met in relation to identified behaviours and as a result, three PSPO's were proposed for consultation.

	A public consultation was conducted for 4 weeks from 23 January 2023 to 19 February 2023, which set out the evidence, areas to be covered by the proposed Orders and timescales for application. Following detailed further consideration of the evidence and the consultation responses, an options appraisal has concluded that the Council should proceed with two of the proposed PSPO's outlined within the report, covering fires, BBQ's and anti-social behaviour and to implement them as soon as legislatively and operationally possible.

Portfolio Holder(s):	Councillor Kieron Wilson, Portfolio Holder for Housing and Regulation
Corporate Director	Jess Gibbons, Chief Operating Officer
Report Authors	Kelly Ansell, Director of Housing and Communities Sophie Sajic, Head of Safer Communities
Wards	Council-wide
Classification	For Decision

Background

1. On 14 December 2022, Cabinet resolved to approve public consultation of potential Public Spaces Protection Orders (PSPO's) in relation to coastal and open spaces following an initial feasibility assessment. The report considered by Cabinet outlined six behaviours which the assessment concluded had met the relevant legislative criteria. Cabinet resolved to delegate authority to the Director of Communities, in consultation with the Portfolio Holder for Community Safety and Regulation, to approve the final proposals and consultation documents. BCP Council – Democracy.
2. The public consultation commenced for a period of four weeks from 23 January 2023, to implement PSPO's in relation to the following behaviours (see Appendix 1);
    - Playing loud music to include amplified or acoustic instruments or singing at levels which has a detrimental impact on others.
    - To act in a manner which has a detrimental impact on others in the locality which includes but is not limited to, the irresponsible lighting of fires or BBQ's, swearing, spitting, and causing intimidation either by an individual or a group.
    - Overnight camping, staying or sleeping with or without a tent or gazebo, on beaches or open spaces.
    - Overnight staying or sleeping within vehicles in car parks and other open spaces.
    - On beaches and coastal areas a person or persons are prohibited from having open fires at any time. In addition BBQ's on the beach or coastal areas can only be used/lit between the hours of 18:00 – 07:00.
    - In open spaces a person or persons are prohibited from the following activities: the lighting of fires; lighting any barbecues; or using any article/object which causes a naked flame, and which poses a risk of fire.
3. This report and its appendices outline the legislative requirements for the making of a PSPO, summarises the evidence assessment, details the public consultation undertaken and the responses received, the options as a result of the consultation, and the recommendations following these responses. It also provides an enforcement protocol for the implementation of the proposed PSPO's.

Legislation

4. Section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 permits a Local Authority to make a Public Spaces Protection Order (PSPO) if it is satisfied on reasonable grounds that two conditions are met as follows:

   First Condition

   - activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or;
   - it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

   AND Second Condition

   - The activity/activities is, or is likely to be, persistent or continuing in nature;
   - is, or is likely to be, such as to make the activities unreasonable; and
   - justifies the restrictions imposed.

5. Section 59 (5) states that 'the only prohibitions or requirements that may be imposed are ones that are reasonable to impose in the order –

   a) To prevent the detrimental effect referred to above for continuing, occurring or recurring, or

   b) To reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.'

6. The Council must undertake the necessary consultation and publicity before making or extending any Order, and in order to ensure that the Conditions as set out in S59 are met. It is critical that there is sufficient evidence to support the behaviours the Council intends to target.

7. Failing to comply with the terms of a PSPO is a criminal offence that can be actioned by either the issuing of a Fixed Penalty Notice (FPN) or a prosecution through the Magistrates Court. It should be noted that FPN's cannot be issued to anyone under the age of 18 or those who have no fixed abode. Where anti-social behaviour is demonstrated by those under 18, informal and early intervention can be successful in changing behaviour and protecting communities. Several measures are available to both the Police and the Council, including Verbal or written warnings, Acceptable Behaviour Contracts, and the Community Consequence Scheme. Further legislative powers are available to those without a fixed abode, where negative behaviours are displayed, however, this is in conjunction with a range of support services. A multi-agency approach to anti-social behaviour is taken by the Council's anti-social behaviour team.

Public Consultation

8. A public consultation was launched on 23 January 2023 and ran until 19 February 2023. 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. Hard copies were available in libraries, 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.

9. The 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 and this has informed the Equality Impact Assessment for these proposals.

10. 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.

11. 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, Camping and Caravan Association, Gypsy and Traveller Advocacy Service Kushti Bok and private land owners where the Council are contracted to manage the land.

12. The consultation documentation can be found at Appendix 2 and on the Council's webpages here.

13. 1,564 responses were received and a detailed report setting out all public consultation responses is attached at Appendix 3. All comments received relating to the interactive map where respondents could drop a pin are available to view.

14. An options appraisal document which discusses the feedback received for each proposed PSPO and the behaviour to be addressed is set out together with recommendations at Appendix 4. This document considers meetings held with the service leads who will be responsible for the delivery of the PSPO's as well as equalities impacts as identified.

15. An overriding concern within the consultation feedback related to how the PSPOs would be enforced. Where enforcement is necessary, existing front-line staff within the relevant services such as seafront and parks will be given training and guidance to deliver any necessary engagement, education and enforcement action. An enforcement protocol is attached at Appendix 5.

16. All officers responsible for actions under these proposals 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. Full training and support will be given to these officers.

17. As a result of the public consultation, Counsel feedback and formal responses, amended proposed orders are attached at Appendix 6.

Enforcement Protocol

18. An Enforcement Protocol has been developed, in line with Government Guidance in relation to implementation of PSPO's. The protocol at Appendix 5 considers;

    - the practical application of the proposed Orders
    - steps to be taken in the event of a breach including circumstances where there may be a 'reasonable excuse' for the breach

- support to be offered where vulnerability and safeguarding may require consideration (including referral pathways)
- who is responsible for enforcement.
- training to be provided to enforcing officers.

Options Appraisal Recommendations

19. Following consideration of public consultation feedback, further evidence assessment and advice from legal Counsel, the initial proposed clauses have been revised as follows:

Coastal PSPO		
Initial Clause	**Revised, proposed, clause**	**Reason**
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."	To reduce the volume of music when requested by an authorised officer within "the Designated Area."	The notion of "loud" is subjective, meaning enforcement is challenging. Singing is not seen to be detrimental to the level that would justify a blanket ban and could have equalities implications in regard to religious festivals and protests. 86% of respondents in favour of the clause.
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. No person who has previously been warned regarding their behaviour under subsection 2.4 shall refuse to leave a designated area when requested to do so by an Authorised Person.	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."	A lack of specific evidence regarding spitting, however significant evidence around abusive and aggressive behaviour. The revised clause is enforceable, specific and reflects feedback. 89% of respondents in favour of an ASB clause. Police powers can be utilised to disperse those committing ASB if required, therefore a dispersal clause is not proposed.
	A person or persons must not urinate or defecate anywhere other than public toilets in the "Designated Area"	There is a significant amount of evidence of this issue within the wider ASB evidence presented. This is a visible issue that is of concern to the public and the revision considers

		consultation feedback and evidence reassessment. 86% of respondents in favour of an ASB clause.
No person(s) shall light an open fire in the "Designated Area" at any time. No person(s) shall use a BBQ between the hours of 07:00 - 18:00 in the "Designated Area".	No person(s) shall light an open fire in the "Designated Area" at any time. No person(s) shall use a BBQ between the hours of 07:00 - 18:00 in the "Designated Area".	This clause was widely supported by consultation feedback as well as evidence of detriment. The clauses have been revised to be prohibitions in their own right so that they are robust.
No person(s) must erect a tent or gazebo or sleep within the "Designated Area" between the hours of 21.00 and 06.00.	Not proceeding with this prohibition	There was a lack of evidence to support that the behaviour was significantly detrimental enough to warrant the prohibition. Furthermore, only 60% in favour of the clause, with 75% residents against and overall those aged under 65 less than half supported this ban. Substantial equalities concerns also raised regarding homelessness.
Open Spaces PSPO		
No person must erect any tent or gazebo between the hours of 21:00 – 06:00 in the "Designated Area". A person must not sleep between the hours of 21:00 – 06:00 in the "Designated Area".	Not proceeding with this prohibition	There was a lack of evidence to support that the behaviour was significantly detrimental enough to warrant the prohibition. Furthermore, only 54% respondents in favour, 46% against. 92% visitors against. Ages 16-64 had less than 60% in favour. Substantial equalities concerns also raised regarding homelessness.
No person shall place, throw or drop in the "Designated Area", anything likely to cause a fire. No person shall light a fire, and/or barbeque (including	No person shall place, throw or drop in the "Designated Area", anything likely to cause a fire. No person shall light a fire, and/or barbeque (including	There is a significant amount of evidence showing the damage and detriment from fires and BBQs in open spaces. The frequency of these incidents is high and since consultation has increased

a disposable barbecue) in the Designated Area". No person shall use any item in the Designated Area" which either (i) causes a naked flame or (ii) poses a risk of fire.	a disposable barbecue) in the Designated Area". No person shall use any item in the Designated Area" which either (i) causes a naked flame or (ii) poses a risk of fire.	further. The damage and risk relating to this behaviour is substantial. Furthermore, 91% respondents were in favour of the prohibitions in their original form.
Highways PSPO		
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.)	Not proceeding with this prohibition or this PSPO	Consultation responses had only 51% of respondents in favour, with 93% of visitors against the prohibition. Those aged 16-64 had less than half respondents support the prohibition. Evidence did not show a sufficient detrimental impact of the behaviour to warrant the prohibition and significant challenge was received in regard to equality impact on those that are homeless.
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. No person who has previously been warned regarding their behaviour under subsection 2.4 shall refuse to leave a designated area when requested to do so by an Authorised Person.	Not proceeding with this prohibition or this PSPO	No evidence was produced to support the requirement for the prohibition.
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	Not proceeding with this prohibition or this PSPO	No evidence was produced to support the requirement for the prohibition.

on others within “the Designated Area.”		

20. Members are asked to consider the following recommendations which are set out within the table above and the options appraisal report at Appendix 4;

- Proceed with the proposed Coastal and Open Spaces PSPOs.
- Approve the revised proposed PSPO clauses within the table at section 20.
- Not to proceed with the highways PSPO at this time. Officers will continue to collate evidence around negative behaviours and re-assess legislative options in Winter 2022.
- Extend the designated area for Coastal PSPO to include Poole Inner Harbour (kite beach)
- Detail an exemption to allow and encourage the use of gas stoves instead of BBQ’s in the Mudeford Spit area within the Coastal PSPO, within the general exemption in the proposed order. Licence holders of relevant beach huts will have amended conditions.
- Commission a feasibility study to explore options for the provision of camping facilities for vans/campers and tents within the conurbation through seafront services/highways. A cost of £10,000 is required for this work.
- To approve the recommendation that all enforcement outcomes of FPN issued and any prosecutions undertaken as a result of these PSPO are reported to and collated by the multi-agency Partnership Co-ordination Group (PCG) which forms part of the BCP Community Safety Partnership.

Summary of financial implications

21. The 14 December 2022 Cabinet report anticipated that the costs of consultation and implementation would be £40,000 to include legal advice, consultation costs and signage. To date £4,750 has been spent on the consultation. The final costs of implementation are predicted to be £15,000 to include sufficient signage and the implementation of a communications plan.

22. A further cost of £10,000 is predicted to commission a feasibility study for a designated space for vehicular sleeping, caravanning and camping.

23. The costs of consulting and implementing the PSPO are to be funded from a Communities reserve fund.

Summary of legal implications

24. For a PSPO to be considered, it must meet both the evidential test as set out in Section 59 of the Anti-social behaviour, Crime and Policing Act 2014 and the statutory consultation as set out in Section 72 of the Antisocial Behaviour, Crime and Policing Act 2014 and must also have regard to any Statutory Guidance issued by The Secretary of State in accordance with Section 73 of the Anti-Social Behaviour, Crime and Policing Act 2014.

The evidential test is laid out in Section 6 of this report.

Consultation test:

Section 72 (3+4) of the Anti- Social Behaviour, Crime and Policing Act 2014.

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

25. There are provisions for a Statutory Challenge by way of a High Court Application under section 66 of the ASB, Crime and Policing Act 2014. Such challenge can be brought by an Interested Person on the grounds that;
    - The Council did not have the power to make the PSPO or variation, or to include particular prohibition or requirements under the PSPO.
    - That the requirement to consult, including a challenge on whether the consultation was adequate, and the provisions of publication have not been complied with
26. If such a challenge were made there would be costs implications to the Council. in addition, by virtue of Section 66 (4) of ASB, Crime and Policing Act 2014, if such a challenge were made, the Court has the power to suspend a PSPO until the final determination of the challenge.
27. This report provides details of the consultation that was carried out. Where a duty to consult is triggered the law requires that the consultation is taken at a time when proposals are at a formative stage, that sufficient information is provided in the consultation to allow those consulted to make informed responses and that sufficient time to allow consultees to respond must be given. Responses of consultation must be given due regard.
28. Counsel advice and guidance has been sought in relation to the proposal to consult, evidence base, the results of the consultation, relevant recommendations and any amendment to proposed orders. Such advice and guidance has been duly considered and acted upon.

Summary of human resources implications

29. The Enforcement Protocol at Appendix 5 provides information detailing how the PSPO will be enforced by Council Officers who will receive training as required. Costs for payment for additional duties have been considered and staff implicated have been identified. Consultation has taken place with service managers and union representatives.

Summary of sustainability impact

30. It is anticipated that the prohibition of the behaviours within the proposed Orders will reduce environmental damage and better protect our beaches and open spaces.

31. Wildfires on open spaces are usually the result of campfires or BBQ's spreading to surrounding vegetation, whether by accident or as an act of arson. Heathlands in particular are very susceptible to wildfires owing to the type of vegetation cover they have, typically dry woody flora such as Gorse and Heather. This means that fires can spread very quickly and cause damage over large areas, creating risk to people and surrounding infrastructure (often residential areas) but primarily to the habitat itself.

32. Heathland fires will cause damage that takes decades to recover from, but also often kills many reptiles, ground-nesting birds and invertebrates that are specialist heathland species that do not survive in other habitats. Reducing the incidences of wildfires through enforcement of a PSPO will reduce the damage caused and protect these sensitive habitats.

Summary of public health implications

33. It is anticipated that the prohibition of the behaviours within the proposed Orders will make a positive contribution to public health by protecting our beaches and open spaces from negative behaviours which have an impact on visitors and residents and therefore encourages safe usage.

Summary of equality implications

34. An Equality Impact Assessment has been developed throughout the consideration of the Orders proposed.

35. The Equalities Panel reviewed the documentation on 6 April 2023 and 8 June 2023. The panel recommended amendments which have been made. As decision makers Members must also have regard for the Public Sector Equality Duty as set out in the EIA.

36. The assessment concludes that the purpose of the PSPO's is to address the minority of persons who behave in manner that has a negative impact on our residents, visitors and environment at very busy times of the year when Council and partner resources are already busy. Overall, the proposals will have a positive impact to support seasonal responses in our seafronts, parks and open spaces.

37. Breach of a PSPO without a reasonable excuse is an offence, a reasonable excuse clause is proposed to be added within the prohibited activity, which will allow Authorised Officers to consider legitimate reasons why someone is possibly behaving in a certain way due to a reasonable excuse, such as to celebrate a religious festival or holiday.

38. It was identified that possible negative impacts on rough sleepers with regard to fires are mitigated by including exemptions within any final orders to ensure anyone who is or appears to fall within these categories of protected characteristic are not subject to enforcement and are provided with signposting to support services as needed.

39. As it is recommended that the behaviours around sleeping on the beaches and highways are not included within any PSPO, a number of equalities impacts

around those that are homeless, veterans and the gypsy and traveller community, are mitigated.

40. Possible social economic impacts for those who live in accommodation without access to an outside space, can still access the open spaces and beaches for picnics and alternative hot plate provision at key locations, will still enable family gatherings with hot food provision.

41. Front line staff who already work within the areas of the proposed PSPOs will be able to use these stronger powers in the minority of cases where active engagement and education have failed to address poor behaviour, and either those responsible are failing to move on or are continuing to act in a manner that is adversely impacting on others. The culture around enforcement of the PSPO will centre around education and encouragement to comply with acceptable standards of behaviour.

42. Before any formal action is taken the evidence will be assessed. Monitoring and assessment of actions will be overseen by the PCG who will review on a quarterly basis. The review will focus on the outcomes of the PSPO, actions taken and identify any trends in who is being impacted and why.

Summary of risk assessment

43. Failure to follow the legal process and consult, or not to do so adequately, will make any decision thereafter unlawful and will open the Council up to a High Court challenge under Section 66 of the ASB, Crime and Policing Act 2014. If such a challenge were made there would be costs implications to the Council. In mitigation of this risk, proposals have been developed in close consultation with Legal Services.

Background papers

Anti-social behaviour powers (publishing.service.gov.uk)

Cabinet - Report Protecting our coastal and open spaces – 14 December 2022 BCP Council – Democracy

Corporate Overview and Scrutiny Seasonal Response report - 25 October 2022 BCP Council – Democracy

Overview and Security Summer Response Report – 15 November 2021 BCP Council – Democracy

Appendices

Appendix 1 - Officer Decision Record 20 January 2023
https://democracy.bcpcouncil.gov.uk/ieDecisionDetails.aspx?ID=604

Appendix 2 - Consultation documentation Public Space Protection Order (PSPO) | Have Your Say Bournemouth, Christchurch and Poole (bcpcouncil.gov.uk)

Appendix 3 – Consultation report

Appendix 4 – Options appraisal

Appendix 5 – Enforcement protocol

Appendix 6 – Proposed Orders (as amended)

Appendix 7 – Equalities Impact Assessment

OFFICER DECISION RECORD

This form should be used to record Executive decisions taken by Officers

Decision Ref. No:			
Service Area:	**Communities**	**Date:**	**19 January 2023**
Contact Name:	**Nananka Randle**	**Tel No:**	
E-mail:	**nananka.randle@bcpcouncil.gov.uk**		
Subject:	**Approval of final proposals and consultation documents for proposed Coastal and Open Spaces Public Spaces Protection Order (PSPO)**		

Decisions taken:

The Director of Communities is asked to make the following decision:

1. **Agree to commence a public consultation on the potential to implement Public Spaces Protection Orders in respect of the following:**

- **Playing loud music to include amplified or acoustic instruments or singing at levels which has a detrimental impact on others.**
- **To act in a manner which has a detrimental impact on others in the locality which includes but is not limited to, the irresponsible lighting of fires or BBQ's, swearing, spitting, and causing intimidation either by an individual or a group.**
- **Overnight camping, staying or sleeping with or without a tent or gazebo, on beaches or open spaces.**
- **Overnight staying or sleeping within vehicles in car parks and other open spaces.**
- **On beaches and coastal areas a person or persons are prohibited from having open fires at any time. In addition BBQ's on the beach or coastal areas can only be used/lit between the hours of 18:00 – 07:00.**
- **In open spaces a person or persons are prohibited from the following activities: the lighting of fires; lighting any barbecues; or using any article/object which causes a naked flame, and which poses a risk of fire.**

2. **Agree that the public consultation shall commence on the 23 January 2023 for a period of four weeks.**

The Portfolio Holder for Community Safety and Regulation has been consulted in reaching this decision.

Reasons for the decision:

A report was presented to Cabinet on the 14 December 2022 and is appended to this report at Appendix a. This report provides detailed background to this matter. Below is a summary of the issues and the reasons for the decision sought:

Through the Seasonal Response Programme delivered at peak visitor periods over the last two years, a number of negative behaviours presented by some individuals have impacted on our environment, on visitor and resident enjoyment of our beaches and open spaces and have required significant additional resource to manage despite best efforts. The Seasonal Response Programme successfully addressed issues as they emerged during these peaks by increasing staff within key core services and targeting known hot spot areas with proactive security and staff presence. However, robust enforcement of particular behaviours is limited given antiquated bylaws and restrictions of existing legislation resulting in limited prevention and impact in addressing the issues in real time.

A review of the Seasonal Response activity over the last two years has highlighted the success of the programme, but noted the management of challenging behaviours as a priority area for development. Having explored all available options for addressing this, the review resulted in a recommendation to consider the use of Public Spaces Protection Orders (PSPO's) where appropriate, in order to prohibit these behaviours, thereby creating a strong deterrent and enabling the Council to take effective action in a timely manner.

On 14 December 2022, Cabinet resolved to: Delegate authority to the Director of Communities in consultation with the Portfolio Holder for Community Safety and Regulation, to approve the final proposals and consultation documents by way of a Portfolio Holder Decision. The Portfolio Holder has been consulted in relation to the decision to consult.

A detailed evidence assessment has been concluded. The next step is to launch a public consultation on the resulting proposals which are outlined in this decision record.

Following completion of the public consultation, a further options appraisal will be completed to include full consideration of the feedback from consultees with recommendations on final proposals and implementation as appropriate.

Background:

1. The rationale for the PSPO's sought is detailed in the Cabinet report in the appendix attached and so is not repeated here. The measures proposed will have an impact on the way in which some residents of and visitors to the BCP Council area use the beach area. Before implementing such restrictions therefore it is proposed that there should be a full and comprehensive consultation making sure that all residents have the opportunity to have their say. The results of the consultation will then be carefully considered along side any equalities considerations.
2. Regard has been given to equalities matters when considering whether or not to pursue PSPOs in the form set out in the cabinet report. We have considered protected characteristics and local priority groups in drafting the proposals. A full EQiA will be undertaken once the results of consultation have been received.
3. Having reviewed all available preventative and enforcement tools available, a PSPO is considered the best option to tackle the persistent behaviours negatively impacting on residents and visitors to our beaches and open spaces. It also

protects Council resources and supports the efficient management of the resort during peak periods.

4. The most challenging behaviours that generate complaints and have a detrimental impact on visitors and residents have been examined and the proposals outlined are driven by this evidence.
5. An options appraisal has taken place considering the evidence relating to the behaviours to be prohibited as follows:-

Proposed prohibition; **Playing loud music to include amplified or acoustic instruments or singing at levels which has a detrimental impact on others.**

Evidence Summary

6. Throughout the Summer of 2022, there were 18 logged complaints/incidents, where tourists or locals have been disrupted by groups or individuals playing loud music or making noise. Most of these incidents tend to be associated with groups of people and have significant impact, particularly where residential areas are in close proximity.
7. July and August registered the most complaints. Frequently these complaints were received during the afternoon and evenings. In most cases officers advice was complied with and the music was turned down. However, there are examples of escalation including ASB, public order issues and significant disruption.

Assessment

8. Although the evidence does not identify significant numbers, the disruption caused by inconsiderate music or noise has wider impacts on residents, beach users or those in beach huts. The majority of incidents were resolved informally. However in some cases officers reported the music resumed once they walked away and without firmer resolution powers these incidents continued to adversely impact those in the vicinity and disturbed sleeping and enjoyment of the beach areas.
9. Some incidents occurred in locations away from the seafront in car parks where vehicles were being used for overnight sleeping.
10. The complaints occur primarily in afternoons and into the night during summer months from April to the end of August.

Locations

11. As this activity is one which could easily be displaced and cause issues in seafront and car park locations, it is proposed to include all coastal beachfront areas including pier approaches and promenades from the Ham Common peninsula to Highcliffe.
12. In addition, this behaviour would be addressed in identified car park locations and surrounding roads.

Proposed prohibition; To act in a manner which has a detrimental impact on others in the locality which includes but is not limited to, the irresponsible lighting of fires or BBQ's, swearing, spitting, and causing intimidation either by an individual or a group.

Evidence Summary

13. Between May 2022 and the end of August 22 there were 69 reported incidents of antisocial behaviours of this nature dealt with by security or seafront officers. During peak visitor periods of hot weather up to 6 incidents per day were recorded, demonstrating persistent and ongoing impact.

Assessment

14. A large number of incidents relate to groups of people who had been drinking alcohol and resulting fights or arguments.
15. Whilst not all of these behaviours relate to consumption of alcohol, it is important to note that there is already a PSPO in place within parts of BCP to address issues with alcohol consumption and related ASB. However, the associated behaviours can manifest in a broad area and inclusion within this PSPO will address the wider impacts and will support enforcement where drivers are not related to the consumption of alcohol.
16. Larger groups of people tend to be intimidating and if displaying aggressive or antisocial behaviour, reports show this impact on the enjoyment of the beach areas for others particularly families with young children and those with beach huts who cannot move away.
17. This also gives officers the opportunity to request those not ceasing antisocial behaviour to leave the area without relying on Police attendance and use of their powers.

Locations

22. The main locations reported are on the beaches, around piers, coastal areas with residential accommodation and hotel premises on clifftops.
23. To address displacement the recommendation is to include all coastal beachfront from Ham Common peninsula to Highcliffe.
24. Identified car parks associated with overnight sleeping will also be included.

Proposed prohibition; Overnight camping, staying or sleeping with or without a tent or gazebo, on beaches or open spaces.

Evidence Summary

25. Following increased costs of living in 2022 and hotel room rates, there was a noted increase in the number of people choosing to sleep overnight on the beaches in tents rather than pay for a hotel room. This resulted in multiple complaints about antisocial behaviours such as littering and public urination and defecation.
26. Proactive patrols by security officers and seafront staff resulted in 139 tent eviction notices being issued for overnight camping on the beaches. In addition, there were 25 complaints from members of the public between June and August 2022.
27. July and August were the months where most incidents were recorded, the peak days coinciding with the peak visitor numbers and temperatures. The incidents are logged in between 19:00 and 02:00 , mostly around 23:00. Most people ignored and/or refused security's advice to move on and there was a trend in aggressive behaviour towards staff.
28. The parks teams reported 33 incidents of unauthorised camping on open spaces and heath land issues with overnight camping/rough sleeping in parks areas such as Canford heath, Ham Common, Durley Chine and Hengistbury Head.

Assessment

29. Sleeping in tents on the beach and in open spaces results in rubbish left to accumulate and with no open or easily accessible toilet facilities there are wider impacts of urination and defecation on the seafront and open space areas, presenting risks to public health. This requires cleaning before families and other users arrive.

30. Some unauthorised encampments may be due to rough sleeping and it is essential to ensure partners are linked in to provide support services as necessary in these circumstances.

31. For the Bournemouth area, a bylaw is in place designed to control overnight sleeping. However, in reality the wording of this bylaw prohibits proactive action and enforcement through prosecution (fixed penalty notice obtained through the Courts) can only be achieved in slow time. The inclusion in a PSPO will act as a preventative measure as well as to allow real time enforcement.

32. It is acknowledged that this proposed prohibition may impact on other legitimate users of the area who stay overnight, such as fisherman who may put up a tent/shelter for the night. The proposed requirement to be included will require written permission from an authorised officer and this would cover large fishing events which are given permission before they go ahead. As such an exemption is recommended to allow Bonafede fishing. Authorised officers would be required to use their discretion and will be provided with training to differentiate between someone on the beach at night for fishing and someone claiming to fish in order to sleep overnight.

Locations

33. The main locations reported are on the beaches including around piers and in open spaces.

34. To address displacement the recommendation is to include all coastal beaches from Lake Pier to Highcliffe.

35. Other open spaces include Hengistbury Head, Ham Common, Canford Heath, Bourne Valley, St Catherine's hill, Riversmeet SANG, Stanpit Marsh ,Stour Valley NR, Durley Chine, Alum Chine, Branksome Dene, Branksome Chine, Boscombe Cliff Gardens, Boscombe Overcliff, Boscombe Gardens,. Kings Park, Haskel's Rec, Turbary Common, Talbott Heath, Alder Hills.

Proposed prohibition; **Overnight staying or sleeping within vehicles in car parks and other open spaces.**

Evidence Summary

36. There is a wide distribution of overnight camping occurring across the summer period, and this increased during 2022. A number have resulted in repeated residential complaints.

37. In total there were 73 recorded incidents of overnight staying or sleeping in vehicles reported to between March and October by the highways/parking team. Separate incidents of unauthorised group encampments are recorded separately.

Assessment

38. Campervan living has risen in popularity over recent years and increasingly people are parking in surface car parks and staying overnight rather than attending campsites or touring parks.

39. Traffic legislation does not allow us to directly stop this activity as sleeping in a stationary vehicle is not a traffic offence. In some areas we have motor car and motorcycle only restrictions and these mean we can prevent medium and larger size motor homes but not the smaller ones.

40. Unfortunately, those staying overnight do more than sleep. There are wider issues seen including disturbance as a result of loud music, rubbish accumulations and

due to lack of toilet facilities, urination and defecation in the area, creating public health risks.

41. It is not anticipated that this PSPO will tackle unauthorised group encampments. There is primary legislation under the Criminal Justice and Policing Act 1994 which allows service of direction to leave notices which are then enforced either via a notice from the Police or Court action by the Council to ensure that the group encampments can be moved on.. This will be addressed within any equality assessment.

42. There could be wider displacement into other car parks or residential areas within the conurbation which will be monitored and assessed during the PSPO period. If it becomes an issue this can be addressed by variation of any PSPO as necessary.

43. Within BCP there are limited, if any, camping sites for vans or mobile homes this may generate negative responses in any consultation. This does not however mitigate the risks or need to address the behaviour which is negatively impacting on those in the locality of the car parks under consideration

Locations

44. The identified area will cover all highways and car parks within the defined area from Hamworthy to Christchurch this will address any issues with displacement into the wider community and other car parks and coastal roads.

Lighting Fires and BBQ's

45. The following proposed prohibitions address the lighting of fires and BBQs in order to address risks relating to fire and injury. There are two options proposed as the locations require different approaches. Our open spaces represent a high risk of wildfires that can cover large areas, whereas our coastal areas are more at risk from smaller contained fires. It is acknowledged that there may be strong public opinion in relation to these proposals and this will be a key factor in considering any final proposed PSPO following consultation feedback.

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

Evidence

46. Dorset and Wiltshire Fire and Rescue Service as well as BCP Council Parks teams all report issues with open fires causing widespread damage and distress to parks users and visitors.

47. Total number of Wildfires attended in BCP area

    Jan – Oct 2021 – 126

    Jan – Oct 2022 – 231 – increase of 83.33%

48. Ranger reports evidence over 150 incidents in open spaces from campfires and disposable BBQs discarded and left in open spaces during 2022. At Durley Chine alone there were over 40 incidents of BBQ use in the open grass alongside paths during 2022.

49. Ham Common is a repeat location for fires with disposable BBQs found in the lake, and on the beach areas.

50. Canford Heath suffered a number of fires over the summer. Ranger reports include deliberately set fires, litter and campfire debris left in situ.

Assessment

51. Our open spaces are valuable assets for all to enjoy and during our increasingly hot dry summer months even the most carefully set fire can quickly get out of control and cause widespread damage and impact adversely on local residents and visitors. The damage caused can prevent the use of entire open areas for months. The ecological damage to flora and fauna is also immeasurable.

52. Dorset and Wiltshire Fire and Rescue Service were approached and welcome any actions which will reduce the risks of fires during high-risk times of the year.

53. Ranger reports evidence discarded cigarettes found smouldering, risks from camping stoves used in high risk areas. This supports the proposed prohibitions to include items that can cause a naked flame and poses a risk of fire.

Locations

54. Open spaces include identified by the parks team are:- Hengistbury Head, Ham Common, Canford Heath, Bourne Valley, St Catherine's hill, Riversmeet SANG, Stanpit Marsh ,Stour Valley NR, Durley Chine, Alum Chine, Branksome Dene, Branksome Chine, Boscombe Cliff Gardens, Boscombe Overcliff, Boscombe Gardens,. Kings Park, Haskel's Rec, Turbary Common, Talbott Heath, Alder Hills.

Proposed prohibition; On beaches and coastal areas a person or persons are prohibited from having open fires at any time. In addition BBQ's on the beach or coastal areas can only be used/lit between the hours of 18:00 – 07:00.

Evidence Summary

55. Dorset and Wiltshire Fire and Rescue Service has reported 37 Incidents in 2022 on the Seafront mainly due accidental small fires.

56. 20 seafront bins were damaged due to disposal of BBQ coals in 2022.

57. Security patrols have recorded 217 fire incidents across the seafront, peak days being 13 and 20 of August 2022, where up to 10 fire incidents per day were logged. Most fire incidents occurred during evening hours between 21:00 and 02:00.

58. Seafront services report historic injuries due to buried hot coals and disposable BBQ's.

Assessment

59. Generally, the irresponsible disposal of BBQ's and hot coals has caused fires in and around waste receptacles on the seafront. This puts pressure on the emergency services as well as adversely impacting on visitors and residents in the vicinity.

60. The persistent issues throughout the summer months demonstrates a need to address this behaviour. It is recognised that many visitors and residents have BBQ's on the beach without incident, it is the disposal of the embers or throwing away of hot disposable BBQ's that causes fires.

61. One option explored was the provision of bins specifically for the proper disposal of BBQ coals/disposable BBQ's. Seafront services advise that this was a provision historically, but these bins suffered damage (weather and hot coal related) over the years and are not a viable option due to the nature of current waste removal contracts.

62. It is recognised that some residents do not have access to gardens and as such benefit from the ability to use the beach location for BBQ's, limiting the permitted times BBQ are permitted on the beaches may impact disproportionally to those

without gardens. However during the day there are electric hotplate BBQ's available on the seafronts.

63. Seafront services report that during high visitor periods primarily during the day before 1800 the sheer number of people on the beaches means it is not possible to effectively enforce BBQ usage and it is during these periods that the risks of injury are increased. Later, after 1800 when numbers have reduced, BBQ's can be permitted and allows seafront staff to target resources and enforce as necessary. When visitor numbers have reduced and there is greater spacing between visitors the seafront services can manage the responsible use of BBQ's.

64. Larger non contained fires on the beach leave debris and waste in the vicinity associated with the later night party activities associated with fires on the beach during the summer months.

65. The evidence shows the main issues with fires between the hours of 21:00 and 02:00 when people have been drinking alcohol and are less responsible in the disposal of coals. However, if BBQ use is restricted it is likely people may then light open fires instead. This is why it is proposed to address this by a total ban of open fires.

66. It is recommended that as part of the public consultation, opinion is sought on a ban of disposable BBQ's in coastal areas and on the detail of the proposed prohibition as it is acknowledged there is likely to be strong public opinion relating to this.

Location

67. To address displacement, the recommendation is to include all coastal beaches from Ham Common peninsula to Highcliffe.

68. The feasibility assessment previously completed considered the inclusion of littering within the PSPO proposals. However, the options appraisal has concluded that it is not appropriate to include this as the Council has primary legislation available to address this issue.

Assessment

69. The Council is the enforcement authority in relation to littering offences. Unlike the other behaviours within this appraisal there is primary legislation which allows authorised officers to issue Fixed Penalty Notices (FPN) for littering anywhere in the conurbation as such the behaviour to be addressed by the PSPO is already an offence and liable to a FPN at any location within the conurbation.

70. By having a PSPO for littering it has been identified that this may cause confusion by those who then try to argue they were not within the PSPO area when they littered, when it fact is in an offence anywhere.

71. The Council is already taking steps to improve litter enforcement by including this within the specification for a tender for an enforcement partner covering fly tipping, fly posting and littering. This was approved at Cabinet in November 2022 and the tender will be complete by March 2022.

72. In addition, the power to issue a Fixed Penalty Notice for littering can be delegated to any front line staff who will be responsible for enforcing the PSPO as part of the enforcement protocol. The advantage of this would be that littering FPN's could then be issued anywhere that front line staff witness this behaviour not just limited to the PSPO area which could then allow action to be taken in and through the gardens and town centre locations by duly authorised staff.

73. It is therefore recommended that all front line staff who will be part of the PSPO enforcement activity will also be given delegated authority to enforce the legislation this would also include parks and rangers who have reported frustration with not being able to tackle littering when they witness it.

Enforcement Period for all proposed prohibitions

74. It is proposed that the coastal and open spaces proposed PSPO's would be in force from 1 March to 31 October 2023.

75. Evidence demonstrates the persistent and ongoing nature of the issues identified throughout the summer period up to and including the Air Festival. Although most incidents are recorded from May, there is often an influx of visitors from March onwards particularly when Easter falls early and particularly when the weather is good.

76. This timeframe also addresses parking high season concerns over the peak parking period of 1 March to 31 October 2023.

77. With regard to the end date, as the dates for events shifts year on year it is proposed to implement a mid-September end date just after the schools go back for the Autumn term.

Recommendations Summary

78. It is proposed to consult on three separate PSPOs which would cover different geographical areas and proposed prohibitions based on the evidence and officer consultation.

i) **Coastal areas including beaches, pier approaches and up to cliff tops from Ham Common peninsula to Highcliffe.** This will cover playing of loud music, acting in an antisocial manner, overnight camping/sleeping, lighting of open fires and BBQs

ii) **Highways and car parks, a defined area from the coast inland up to the major roads boundary road** will prohibit overnight sleeping in vehicles, loud music and acting in an antisocial manner.

iii) **Opens spaces as identified** and covers overnight camping, fires and BBQ's

79. Copies of the draft orders are included at Appendix 1 -3. An interactive map showing all proposed locations is included in the background papers.

80. The legal officer has reviewed the proposals including the evidence and has confirmed that the legal threshold to support pursuing public consultation on the proposals has been met.

81. If agreed, public consultation would begin on 23 January 2023 and run for 28 days.

Public Consultation

82. A consultation document will be provided which gives information about the proposal and the rationale for its consideration. Detailed maps will be provided so consultees can clearly see the areas the proposed PSPOs will cover. A consultation response questionnaire seek residents, visitors, businesses and other stakeholders' views about each of the three proposed PSPO areas and each proposed prohibition. Respondents will be able to provide comments via free text questions which will be fully considered. A full list of equality questions will be asked in the consultation, and this will allow full consideration of how this proposal affects different groups of people.

83. All of the consultation material will be hosted on our digital engagement hub, with hard copies available in libraries and seafront offices and visitor centres. The consultation document will include an email address for people to email if they require a different format or language version of the consultation material or support with completing the consultation.

84. A press release will be issued, and the consultation promoted through the council's social media channels, councils e newsletter and to those registered with the digital engagement platform.

85. Signage will be displayed in all areas to be included within the proposed PSPOs which will provide information and a QR code for the online consultation.

86. Seafront services will engage with the four beach hut associations, Friars Cliff, Mudeford, Bournemouth and Poole and ask them to share the consultation with their members.

87. Direct links to the online consultation documents will be 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 and Beach Huts Associations and businesses.

88. Paper copies of the consultation questionnaire will be provided in libraries, seafront offices and visitor centres and alternative formats available upon request.

89. A communications plan including social media messaging will take place during the course of the consultation.

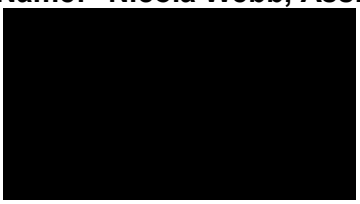
90. Once the consultation is completed an analysis report will be produced setting out the main findings.

91. The outcome of the consultation will then be considered prior to any final decision.

Finance and Resourcing Implications: It is anticipated that given the potentially broad geographical area and multiple Orders under consideration, the costs of consultation and implementation will be in the region of £40,000 to include legal advice, consultation costs and signage.

These costs will be met from the Community Safety Reserve which has an available balance.

Name: Nicola Webb, Assistant Chief Finance Officer **Date: 20.1.23**



Signature (of Chief Finance Officer):

Legal Implications: For a PSPO to be considered then it must follow the statutory consultation as set out in Section 72(3) and (4) of the Antisocial Behaviour, Crime and Policing Act 2014 and have regard to any Statutory Guidance issued by The Secretary of State in accordance with Section 73 of the Anti-Social Behaviour, Crime and Policing Act 2014

Failure to do so, or not to do so adequately, is likely to make any decision thereafter unlawful and will open the Council up to a High Court challenge under Section 66 of the

ASB, Crime and Policing Act 2014. If such a challenge were made there would be costs implications to the Council. By virtue of Section 66 (4) of ASB, Crime and Policing Act 2014, if such a challenge were made , the Court has the power to suspend a PSPO until the final determination of the challenge.

On the 14 December 2022, Cabinet agreed to delegate authority to the Director of Communities in consultation with the Portfolio Holder for Community Safety and Regulation, to approve the final proposals and consultation documents by way of a Portfolio Holder Decision.

This report provides details of the consultation to be carried out. Where a duty to consult is triggered the law requires that the consultation is taken at a time when proposals are at a formative stage, that sufficient information is provided in the consultation to allow those consulted to make informed responses and that sufficient time to allow consultees to respond must be given. Responses of consultation must be given due regard.

Name: Susan Zeiss, Monitoring Officer **Date: 20.1.23**

[redacted]

Signature (of Monitoring Officer):

Risk Assessment: Failure to do follow the legal process and consult, or not to do so adequately, is likely to l make any decision thereafter unlawful and will open the Council up to a High Court challenge under Section 66 of the ASB, Crime and Policing Act 2014. If such a challenge were made there would be cost implications to the Council.

Name: Kelly Ansell **Date: 20.1.23**

Signature (of Officer Completing Assessment):

[redacted]

Appendices

Appendix a - Cabinet - Report Protecting our coastal and open spaces – 14 December 2022
https://democracy.bcpcouncil.gov.uk/ieDecisionDetails.aspx?ID=592

Any declaration of interest by the Officer responsible for the decision	Nature of Interest

None	

Note:.

Any conflict of interest declared by a Cabinet Member who is consulted by the Officer taking the decision	Name of Cabinet Member	Nature of interest	Details of any dispensation granted by the Monitoring Officer
No	Cllr Bobbie Dove	n/a	n/a

Decision taken by: Kelly Ansell, Director of Communities

Signature: **Date of Decision: 20 January 2023**

Date Decision Effective: 20 January 2023
Date of Publication of record of decision: (to be inserted by Democratic Services)

Note: A record of this decision should be kept by the Service Area within which the decision falls.

Coastal, open spaces, highways and car parks
Public Spaces Protection Orders (PSPOs) Consultation

Consultation Document

BCP Council is asking for your views on the potential introduction of Public Space Protection Orders (PSPOs) in our coastal areas and some of our open spaces, car parks and surrounding highways within Bournemouth, Christchurch and Poole. This document is a summary of the proposals under consideration.

The consultation will start on 23 January 2023 and **close at 11:59pm on 19 February 2023**.

Following consultation, a full report on the findings and outcomes of the consultation will be considered and a decision made in the Spring.

What is a Public Space Protection Order?

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).

Why are we proposing to introduce PSPOs?

Our open spaces and coastal areas are special places enjoyed by residents and visitors. During the summer months, a number of negative behaviours presented by some individuals have impacted on our environment and the enjoyment of our beaches and open spaces by our visitors and residents. These behaviours have required significant additional resource to manage.

Our Seasonal Response Programme addressed issues as they emerged by increasing staff within key core services such as Community Safety Accreditation Service (CSAS) Officers, security, seafront and cleansing services, and targeting known hot spot areas with proactive security and staff presence.

However, without a PSPO in place it is difficult to deal with some of the anti-social behaviours that are regularly witnessed given the restricted enforcement options relating to current byelaws. The restriction of the current legislation offers limited prevention and impacts our ability to deal with the issues in real time. We currently cannot issue a fixed penalty for someone breaking a byelaw and as a result we can only address the behaviour by going through a lengthy and costly court process.

Following a review of the Seasonal Response challenges during 2022, a recommendation was made to BCP Council's Cabinet for the consideration of Public Spaces Protection Orders (PSPOs), to ban certain behaviours at identified locations.

The PSPOs would be enforced by authorised officers who will receive additional training to enable them to enforce the PSPOs and issue Fixed Penalty Notices.

Summary of evidence

The council must have evidence of anti-social behaviour in a specific area to be able to introduce a PSPO. We believe we have enough evidence to introduce three PSPOs in our coastal areas, some of our open spaces and some of our highways and car parks.

Overnight sleeping in coastal areas, open spaces, car parks and surrounding highways
When people have stayed overnight on our beaches or car parks this has resulted in complaints of loud music, rubbish being left behind and, with no open or easily accessible toilet facilities, there are wider impacts of urination and defecation which require cleaning up before visitors arrive the next morning to enjoy a day out.

Open fires and barbeques in open spaces
During our increasingly hot dry summer months even the most carefully set fire can quickly get out of control and cause widespread damage. The ecological damage to nature and wildlife is also immeasurable. The damage caused can prevent the use of an entire open space area for months. Dorset and Wiltshire Fire and Rescue Service were approached on this proposal and welcome any actions which would reduce the risks of wildfires during high-risk times of the year.

Loud music in our car parks and coastal spaces
Last summer we had complaints from residents and visitors about some people playing loud music on the beach. Most of the incidents were by groups of people and were associated with other anti-social behaviours which leave other beach users feeling intimidated. These incidents mainly occurred in the afternoons or evenings and whilst most were resolved informally in some cases officers reported the music resumed once they walked away. Without firmer resolution powers these incidents continued to adversely impact the enjoyment of other beach users and residents who live near the beach.

Anti-social behaviour in coastal areas
We had some incidents of anti-social behaviour in our coastal areas last year which impacted on other visitors to the beach. The type of behaviour which would be banned under the PSPO proposal includes but is not limited to fighting, swearing, spitting and causing intimidation either by an individual or group.

Barbeques (BBQs) in coastal areas
We recognise that the beaches and coastal areas are enjoyed by lots of people who responsibly have barbeques every day. However, we have had some incidents of people burying hot coals or irresponsibly discarding of disposable barbeques which have caused injuries to beach users and damage to seafront bins.

We do not want to completely stop people from having barbeques on our beaches and coastal areas, but we need to ensure that we limit the damage and impact this activity has on beach users and services such as Dorset and Wiltshire Fire and Rescue Service and our seafront rangers during peak visitor times. We are therefore proposing to ban barbeques between 7am-6pm. After 6pm the risk of injury is reduced because there are less people on the beach, and the seafront officers can manage overseeing the safe use of barbeques and the responsible disposal of coals or disposable barbeques.

Open fires in coastal areas
Many of the open fire incidents seen last year were later in the evening and are associated with people intending to camp or sleep overnight on the beach. We are proposing that the PSPO would ban fires on the beach at all times.

Here is a summary of the evidence of complaints and incidents we received last year:

Incident reports	Number of incidents/complaints
Open spaces and heathland	
Incidents of campfires in open space (Ranger reports)	100 incidents (2022)
Dorset And Wiltshire Fire and Rescue attendance at wildfires in BCP area	231 incidents (2022)
Incidents of damage caused by BBQs and disposal	73 incidents (2022)
Unauthorised camping in open spaces	33 incidents (2022)
Car parks and highways	
People sleeping overnight in vehicles	56 incidents (April-August 2022)
Coastal areas	
Incidents of anti-social behaviour	69 incidents (May - August 2022)
Incidents of people sleeping overnight in tents	139 tent eviction notices (April to August 2022)
Complaints from the public about people sleeping overnight in tents	25 complaints (June-August 2022)
Fire incidents	217 fire incidents (2022)
Dorset And Wiltshire Fire and Rescue attendance at seafront fires in BCP area	37 incidents (2022)
Damage to seafront bins due to disposal of hot coals	20 incidents (2022)

Proposals

Before we make any final decisions, we are asking for your thoughts on the proposals. We are asking for your views on:

- whether you support or do not support the introduction of 3 PSPOs
- the proposed geographical areas where the PSPOs would apply
- the behaviours that would be restricted within that area
- the time when barbeques would be allowed in coastal areas and
- whether we should ban the use of disposable barbeques in coastal areas.

We are proposing three separate PSPOs which would cover different geographical areas and different behaviours. These are:

- **Open spaces PSPO**
- **Highways and car parks PSPO**
- **Coastal PSPO**

The draft PSPO maps showing the locations can be viewed in Appendix 1.

Here is a summary of each of the proposals below:

1.**Opens spaces such as parks and heathland**,

We are proposing the PSPO should be introduced in the following areas:

- Alder Hills
- Alum Chine
- Boscombe and Southbourne Overcliff
- Boscombe Chine Gardens
- Boscombe Cliff Gardens
- Bourne Valley
- Branksome Chine Gardens
- Branksome Dene Gardens
- Canford Heath
- Durley Chine
- Ham Common
- Haskells Recreation Ground
- Hengistbury Head
- Kings Park
- Riversmeet SANG
- St Catherine's Hill
- Stanpit Marsh
- Stour Valley Nature Reserve
- Talbot Heath
- Turbary Common.

It is proposed that the following behaviours would be banned within the selected open spaces, parks, and heathland:

- a ban on overnight camping
- a ban on the lighting of any open fires
- a ban on lighting any barbeques.

2. Highways and car parks PSPO

We are proposing that a PSPO is introduced in some of the highways and car parks near our coastal areas. A detailed map can be seen in Appendix 1.

It is proposed that the following behaviours would be banned within the selected highways and car parks:

- a ban on overnight sleeping in vehicles
- a ban on playing loud music which has a detrimental impact on others
- a ban on acting in an anti-social manner which has a detrimental impact on others.

3. **Coastal areas**

We are proposing the following coastal areas should be included in the Coastal PSPO:

- Ham Common and Lake Pier Beach
- Hamworthy Park Beach
- Sandbanks
- Shore Road
- The Chines (Canford Cliffs to Durley Chine)
- Bournemouth Central beaches (West Beach to Boscombe Pier)
- Honeycombe Chine to Hengistbury Head
- Mudeford Sandspit
- Gundimore
- Avon and Friar's Cliff
- Highcliffe Beach.

The following behaviours would not be allowed within the coastal and beachfront areas:

- a ban on playing loud music which has a detrimental impact on others
- a ban on acting in an anti-social manner which has a detrimental impact on others
- a ban on overnight camping or sleeping with or without a tent or gazebo without the permission of the landowner
- a ban on lighting any open fires
- a ban on lighting any BBQs between 7am-6pm.

For more information on the proposals and to see maps of the proposed PSPO areas please visit: **haveyoursay.bcpcouncil.gov.uk/PSPO**.

When would the PSPOs be enforced?

It is proposed that, if introduced, the PSPOs would apply between 1 March to 31 October to address peak visitor periods.

How to have your say

Your views are important to us, and we want to hear from all those who live, work, or visit the Bournemouth, Christchurch and Poole area and who could be affected by this proposal.

You can complete the survey and find more information at: **haveyoursay.bcpcouncil.gov.uk/PSPO**.

We would recommend you look at the maps of the proposed PSPOs before taking part in the survey.

If you have any questions or require a large print copy of the survey or alternative language, please email asbteam@bcpcouncil.gov.uk giving your name, address, and telephone number.

The consultation closes at **11.59pm on 19 February 2023**.

Appendix 1: Copies of the proposed orders

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COASTAL AND OPEN SPACES PSPO

February 2023

Research and Consultation Team

Contents

Executive Summary

- 1564 responses to the survey were received.
- Most respondents (68%) were residents living in Bournemouth, Christchurch and Poole and a quarter (24%) were visitors to BCP.

- For the Open Spaces PSPO, residents are generally in support of the principle (75%), whilst visitors to BCP show very low levels of support (16%).
- Those from older age groups are generally in support of an Open Spaces PSPO, whilst those from younger age groups are significantly less supportive.

- Visitors to BCP strongly do not support a ban on overnight camping under an Open Spaces PSPO.
- All respondent types generally support a ban on lighting any open fires under an Open Spaces PSPO.
- Residents of BCP are generally in support of including a ban on lighting any barbeques under an Open Spaces PSPO compared to support from around half of visitors to BCP.

- Themes from literal comments include concern as to how the Open Spaces PSPO would be enforced, that those who camp or sleep in the vehicles overnight contribute to the local economy, that beach hut users (especially those on Mudeford Spit) should be allowed to use BBQs and that anti-social behaviour that has a detrimental impact on others should also be included in the PSPO.

- For the Highways and Car Parks PSPO, residents generally support the principle (75%), whilst visitors to BCP show very low levels of support (13%).
- Those from older age groups are generally in support of a Highways and Car Parks PSPO, whilst those from younger age groups are significantly less supportive.

- Visitors to BCP strongly do not support a ban on overnight sleeping in vehicles under a Highways and Car Parks PSPO.
- 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.
- 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.

- Themes from literal comments for the Highways and Car Parks PSPO include that sleeping in vehicles is not anti-social behaviour and does not harm anyone, that rather than banning people from sleeping in their vehicles in car parks, the council should Aires and designated spaces within car parks for

motorhomes and campervans, that more clarity is needed on what would constitute anti-social behaviour under the PSPO and that there are existing laws and legislation that already cover the proposed restricted behaviours.

- For the Coastal Areas PSPO, residents are generally in support of the principle (77%), whilst visitors to BCP show low levels of support (18%).
- Those from older age groups are significantly more likely to support the principle of a Coastal Areas PSPO than those from younger age groups who show low levels of support.

- All respondent types generally support a ban on playing loud music which has a detrimental impact on others under a Coastal Areas PSPO.
- All respondent types generally support a ban on acting in an anti-social manner which has a detrimental impact on others under a Coastal Areas PSPO.
- Visitors to BCP strongly do not support a ban on overnight camping or sleeping with or without a tent or gazebo in the designated areas without the permission of the landowner under a Coastal Areas PSPO.
- Support for a ban on lighting any open fires in coastal areas is high across all respondent types

- Residents of BCP are generally in support of including a ban on a ban on lighting barbeques between 7am-6pm under a Coastal Areas PSPO compared to support from less than half of visitors to BCP.
- Support for banning disposable BBQs at all times is generally high amongst residents of BCP, and two-thirds of visitors to BCP are in support

- Themes from literal comments for the Coastal Areas PSPO include that those who sleep in vehicles are responsible and are respectful to the areas that they stay and generate income for local businesses, that disposable barbeques should be banned from use in coastal areas and the sale of disposable barbeques should be prohibited in shops, that both disposable and portable barbeques are a fire risk and a hazard for both wildlife and local habitats and that that the council should provide safe disposal and metal bins for barbeque coals rather than banning their use.

1 Introduction and background

1.1 Introduction and Methodology

BCP Council launched a consultation about the proposed introduction of a Public Space Protection Order in coastal areas, some open spaces and highways and car parks. The consultation launched on Monday 23 January and closed 19 February.

The consultation was hosted on the BCP Engagement HQ platform and was promoted through various channels including:

- Press release
- Social media posts (Facebook, Twitter)
- Posters in the proposed PSPO Seafront and Open Spaces locations
- Council e news

Paper copies were available in libraries and seafront offices and by request.

The main project page was hosted from the council's Engagement HQ Platform along with a brief description of the project: Public Space Protection Order (PSPO) | Have Your Say Bournemouth, Christchurch and Poole (bcpcouncil.gov.uk). Details of engagement rates on the project page can be found in Engagement HQ Analytics.

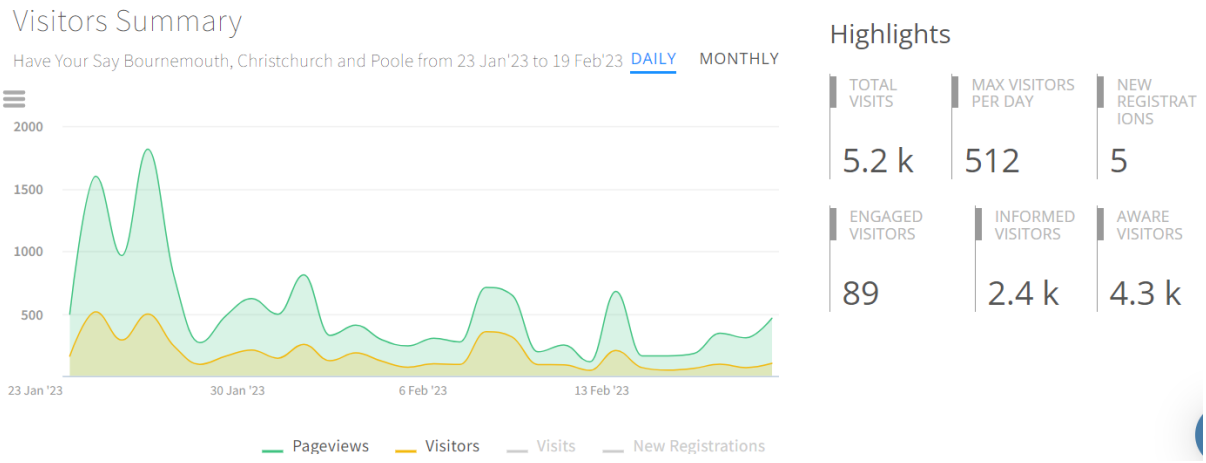
A consultation document was written which included inforation about the draft proposals, and the draft orders. Respondents could share their views by completing a survey response form and by suggesting other areas they feel should be included withing the PSPO.

Once the consultation had closed, the survey responses and map quantitative analysis was undertaken by the council's research and consultation team the qualitative responses (write in text) were exported into Excel and were thematically analysed by Darmax Research. The most common themes are reported on within this report. Anonymised quotes from participants have been used to illustrate the themes identified.

Please note that while the purpose of qualitative data is to provide deeper insights into reasoning and impact rather than to quantify data, the numbers of respondents who mentioned the most prevalent themes are provided in this report to give an indication of the magnitude of response. However, given the nature of qualitative data, it should be noted that this does not provide an indication of significance in relation to the question asked. In addition, where respondents have provided comments that relate to more than one theme, their feedback has been categorised into multiple categories

2 Engagement HQ Analytics

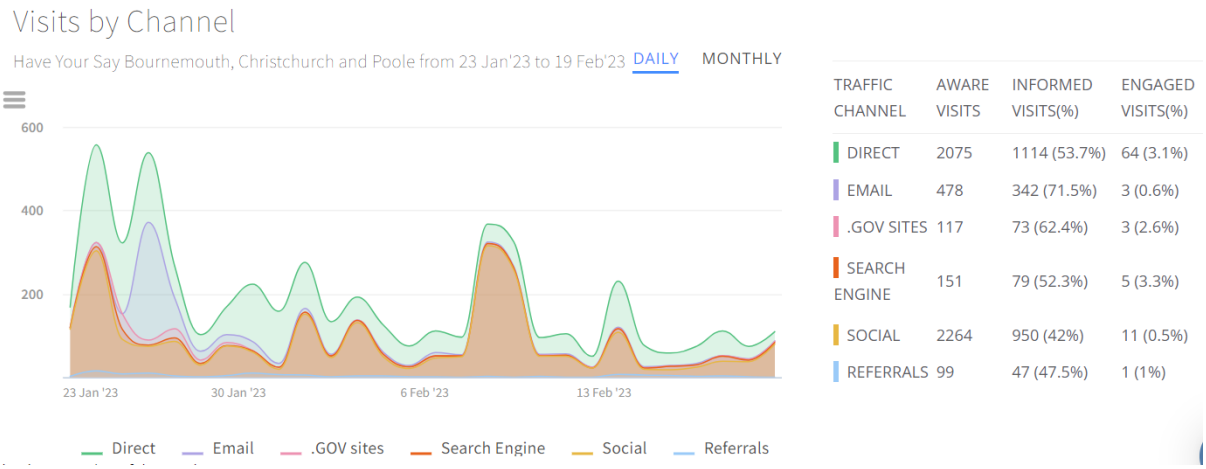
The engagement exercise was hosted on BCP Council's engagement platform 'Engagement HQ'. Across the engagement period there were over 5,200 visits to the engagement page, with over 4,300 **aware visitors** (i.e. a visitor who has made at least one single visit to the webpage), over 2,400 **informed visitors** (i.e. a visitor who has taken the 'next step' from being aware and clicked on something) and 89 **engaged visitors** (i.e. a visitor who has contributed to an activity on the platform).



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

Looking at the source of page visit traffic, a large number of aware visitors to the engagement page came via social media (2264) or using a direct link (2075).



Looking at specific sources, the majority of visits came from Facebook (2117 visits), followed by Twitter (137 visits) and BCP Council website (117 visits). A full breakdown of the site referrals can be seen below:

TRAFFIC SOURCES OVERVIEW

REFERRER URL	Visits
m.facebook.com	968
lm.facebook.com	882
l.facebook.com	267
t.co	137
www.bcpcouncil.gov.uk	117
www.google.com	93
android-app	72
www.google.co.uk	40
email.bt.com	23
online1.snapsurveys.com	20
l.instagram.com	16
www.dorset.live	16
www.bing.com	12
www.linkedin.com	8
apps.talktalk.co.uk	6

3 Analysis and results

1564 responses were received

The equalities profile of respondents is shown in Section 3.

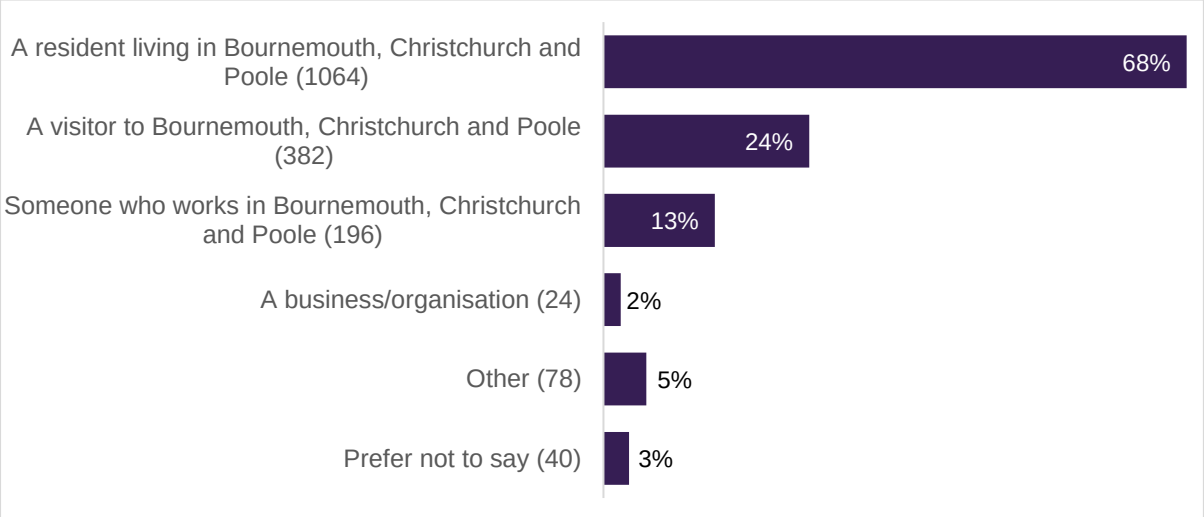
Figures in this report are presented as a percentage of people who answered the question, excluding ‘don’t know’, ‘not applicable’ and ‘no reply’, unless otherwise stated.

Percentages in this report may not add up to 100% due to rounding or where respondents were able to select more than one response option. Where there are significant differences between groups of respondents, this has been stated within the report. Where bases are small (under 20) they have been denoted with an asterisk (*).

Please note that where numbers have been provided for the most prevalent codes to open-ended questions, this is to give an indication of the magnitude of response rather than an indication of significance or salience in relation to the question asked.

3.1 Respondent type

Figure 1 – Respondent type



Base: 1564

Just over two-thirds (68%) of respondents identified themselves as residents of Bournemouth, Christchurch and Poole (BCP), whilst nearly a quarter (24%) are visitors to the BCP area. Just over one-in-ten (13%) work in Bournemouth,

Christchurch and Poole. A small proportion (2%) responded to the survey on behalf of a business/organisation.

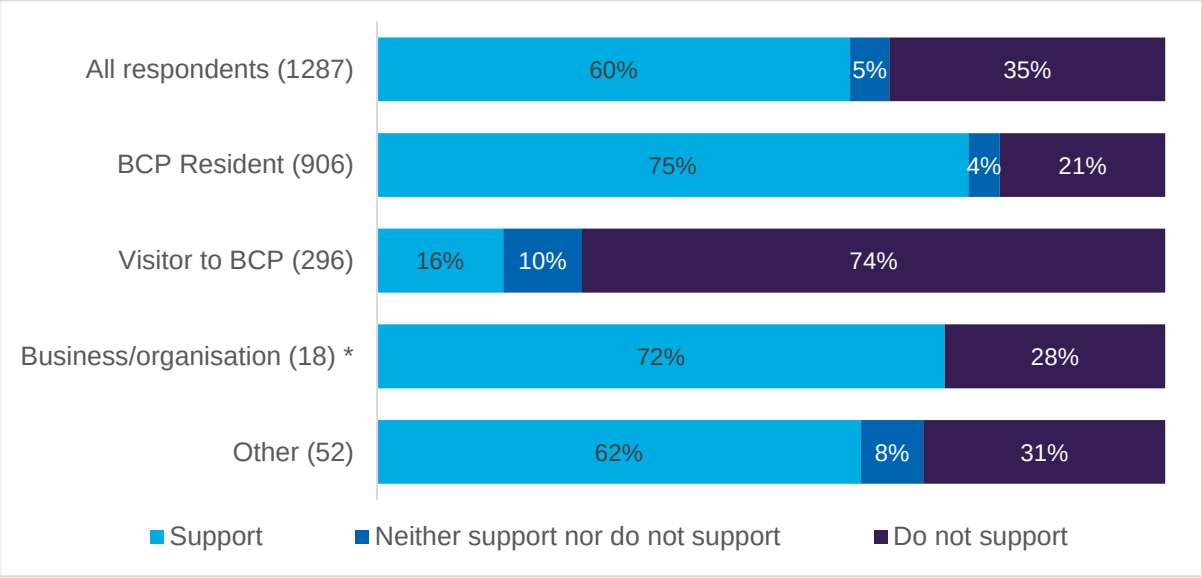
Where respondents identified themselves as 'other' (5%) they were asked to specify what type of other respondent they were. 77 responses were made and respondent types with 2 or more attributed comments are shown below:

Beach hut owner/tenant	37
Visitor/Potential visitor	11
Motorhome/caravan owner	8
Non-BCP resident	6
Councillor	3
Property owner	3
Interested respondent	2

Other individual respondent types include a Boscombe & Pokesdown Neighbourhood Plan Steering Group member, homeless person living in a van, someone who works for BCP Council, someone with a disability, a retired individual and a sea fisherman.

3.2 Open Spaces PSPO

Figure 2 – To what extent do you support the principle of a PSPO being introduced in some of our open spaces? By respondent type



Base: As labelled

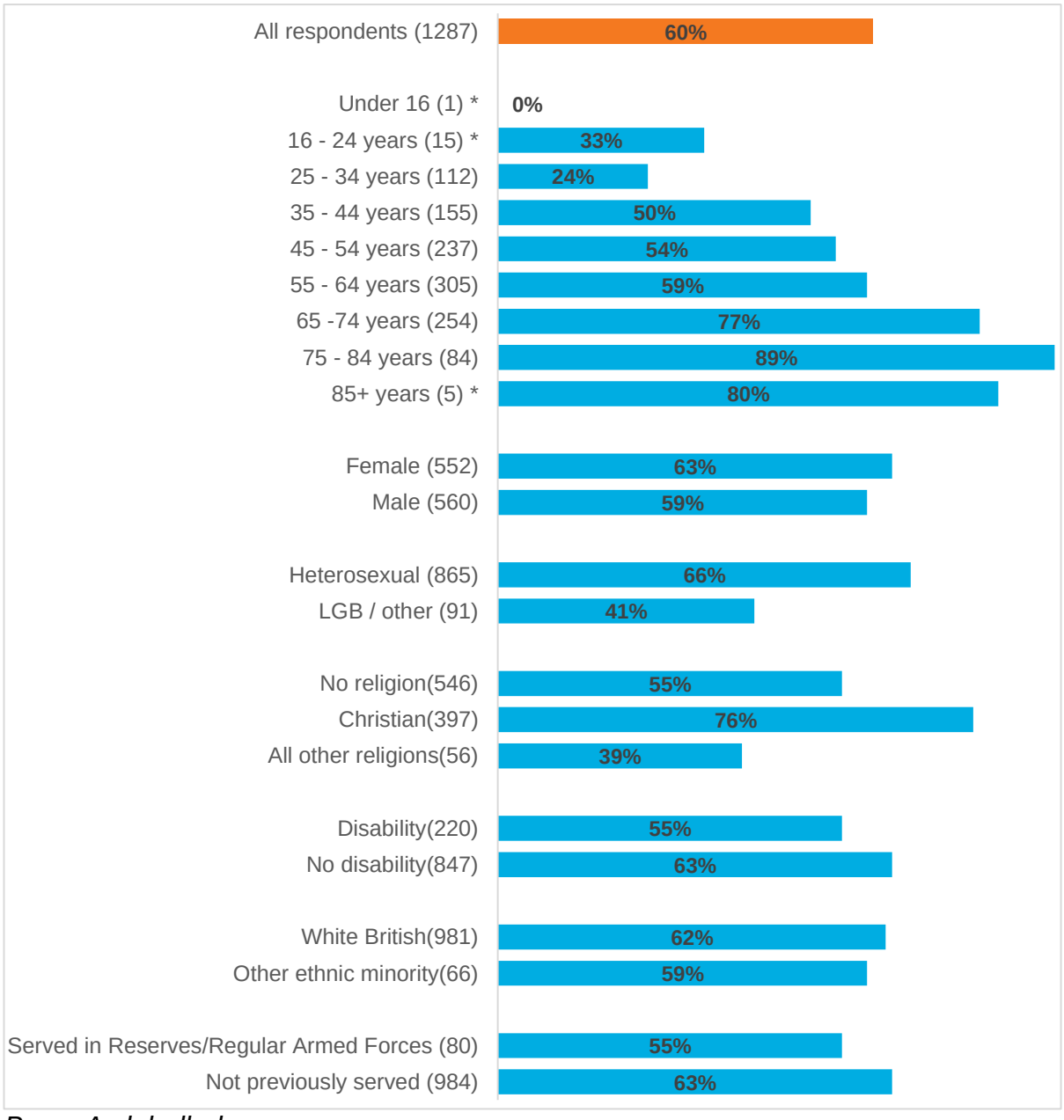
Three-fifths (60%) of all survey respondents support the principle of a PSPO introduction to some open spaces in the BCP area, whilst just over a third (35%) do not support this.

Three-quarters (75%) of BCP residents who responded support an open spaces PSPO, similar to that of businesses/organisations (72%) but significantly higher than those who identified as a visitor to BCP (16%).

Just under three-quarters (74%) of visitors to BCP do not support an open spaces PSPO, significantly higher non-support compared to respondents who are BCP residents (21%), businesses/organisations (28%) and those who fall into the 'other' category (31%).

3.2.1.1 Differences by protected characteristics

Figure 3 – Support for an open spaces PSPO by personal characteristic group



Base: As labelled

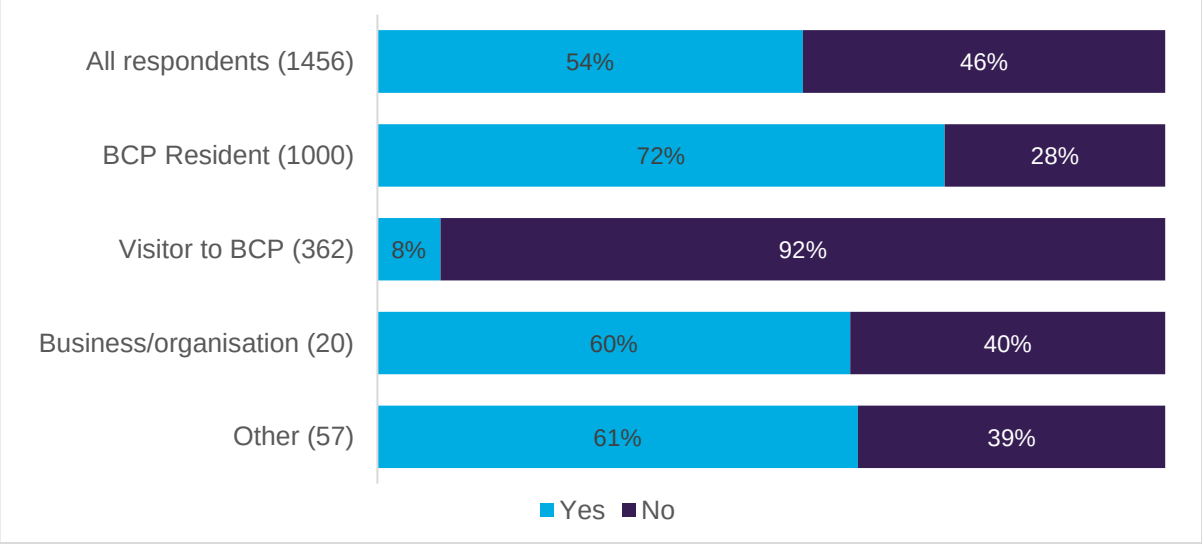
- Respondents aged 75-84 are significantly more likely to support an open spaces PSPO (89%) than all age groups from 16 to 74 years old
- Respondents aged 25-34 are significantly more likely to not support an open spaces PSPO (73%) compared to all age groups older than them
- Heterosexual respondents are significantly more likely to support an open spaces PSPO (66%) than those whose sexual orientation is lesbian, gay, bisexual or other (41%). This is likely to be associated with age as respondents from the LGB community are more commonly from the younger age groups.
- Those who are Christian are significantly more likely to support an open spaces PSPO (76%) compared to those with other religious beliefs (39%) and those with no religion (55%). This is likely to be associated with age as respondents who are Christian are more likely to be in the older age groups.
- Those with no disability are significantly more likely to support an open spaces PSPO (63%) compared to those with a disability (55%).

3.2.2 Overnight camping, open fires and barbeques

Respondents were then asked three questions regarding the behaviours that may be included in an open spaces PSPO for selected open spaces, parks and heathland and whether they would support them being included.

Overnight camping

Figure 4 – Support for a ban on overnight camping by respondent type



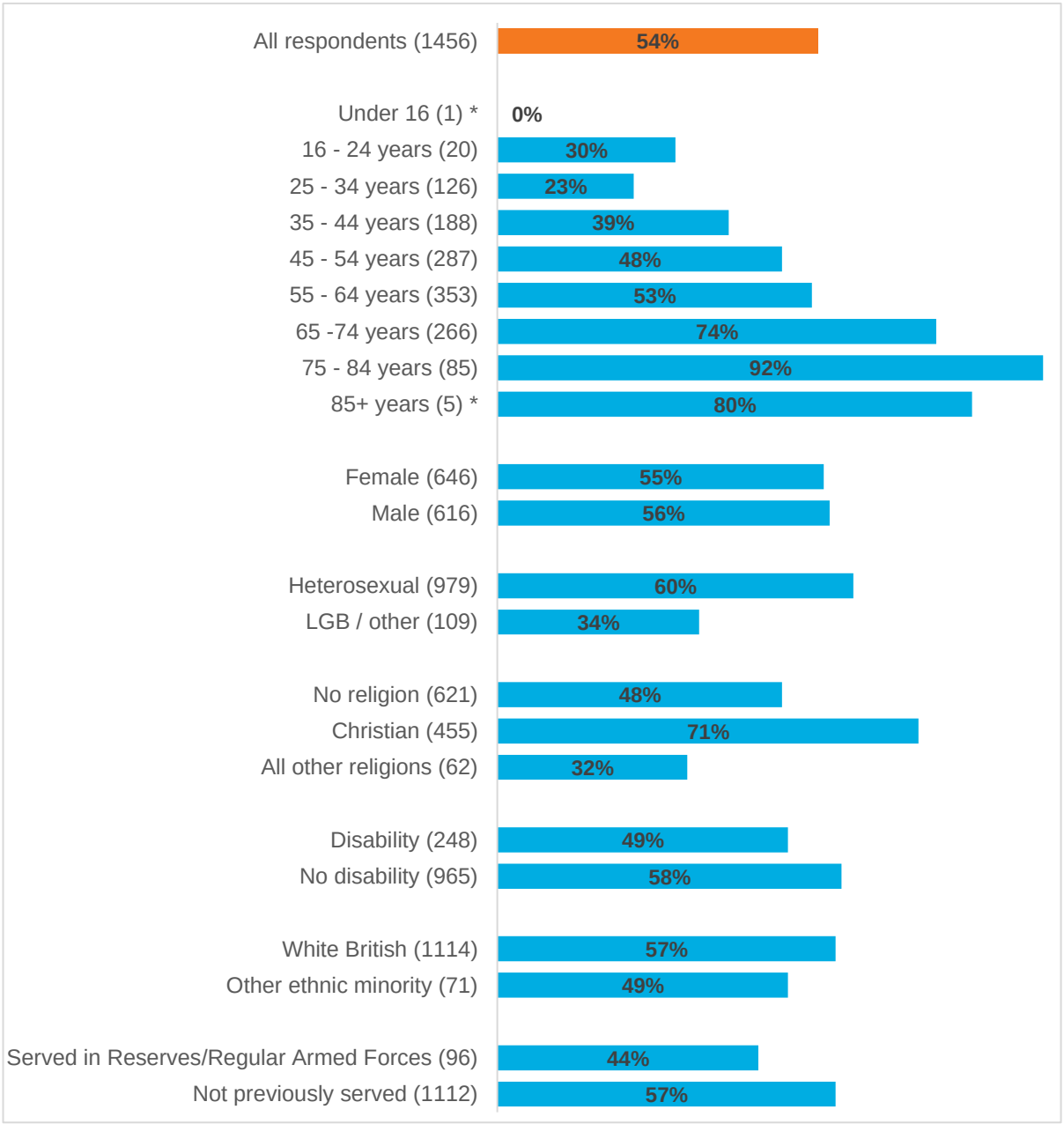
Base: As labelled

Just over half of all respondents (54%) support a ban on overnight camping being included in an open spaces PSPO, with 46% opposing.

By respondent type, the most support for this type of ban is from BCP residents (72%), whilst three-fifths of businesses/organisations (60%) and other respondents (61%) also support a ban on this behaviour. The least support is from visitors to BCP, with less than one in ten (8%) supporting a ban on overnight camping, significantly lower support than all other respondent types and 92% in opposition which is significantly higher opposition than all other respondent types.

3.2.2.1 Differences by protected characteristics

Figure 5 – Proportion of support for a ban on overnight camping by personal characteristic group

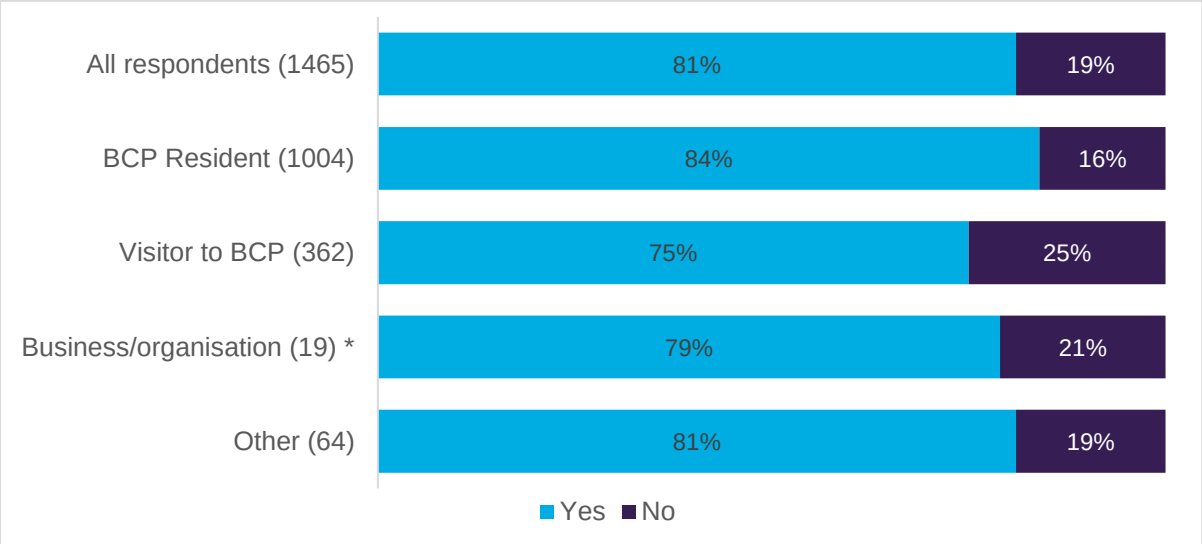


Base: As labelled

- The suggestion of banning overnight camping has significantly more support from those aged 75-84 (92%) than all age groups from 16 to 74 years old
- Banning overnight camping is supported by a large proportion of those aged 65-74 (74%), significantly more than all age groups from 16 to 64 years old
- Those aged 25-34 are significantly more likely to not support a ban on overnight camping (77%) compared to all age groups older than them (35 and above)
- Respondents who are heterosexual are significantly more likely to support banning overnight camping (60%) compared to those who are lesbian, gay, bisexual or other (34%). This is likely to be associated with age as respondents from the LGB community are more commonly from the younger age groups.
- Christians are significantly more likely to support a ban on overnight camping (71%) compared to those in other religious groups (32%) and those with no religion (48%). This is likely to be associated with age as respondents who are Christian are more likely to be in the older age groups
- Those with no disability are significantly more likely to be in support (58%) than those with a disability (49%)
- Those who have not previously served in the UK Armed Forces are significantly more likely to support a ban on overnight camping (57%) compared to those who have previously served in the Reserves or Regular Armed Forces (44%)

Lighting any open fires

Figure 6 – Support/non-support for a ban on lighting any open fires by respondent type



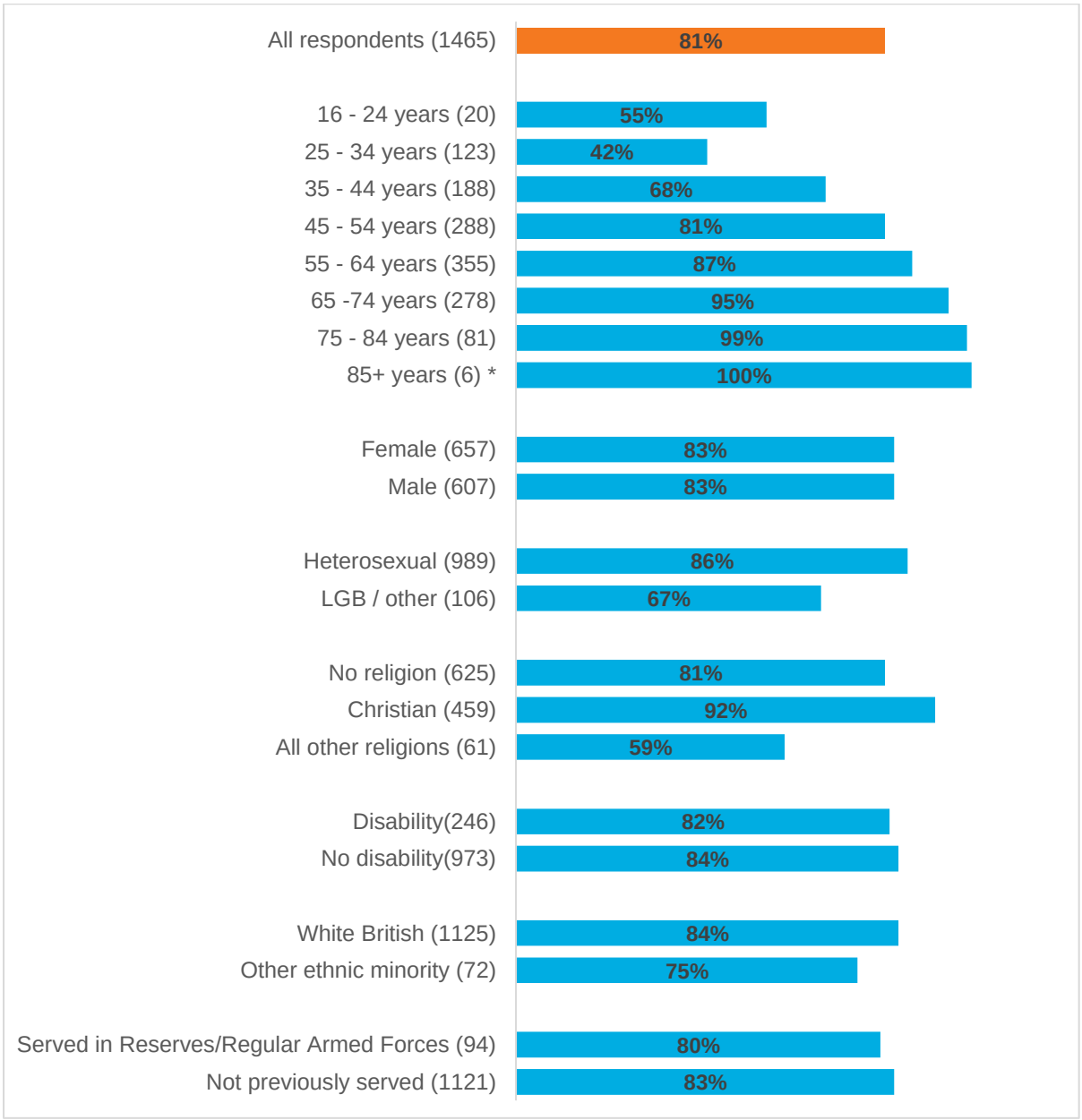
Base: As labelled

Over three-quarters of all respondents (81%) support the inclusion of a ban on lighting any open fires in selected open spaces, parks and heathland across BCP, with just under a fifth (19%) opposing this.

For all respondent types three-quarters or higher support a ban on lighting open fires. Support is greatest among BCP residents (84%), and significantly higher than support from respondents who are visitors to BCP (75%). A quarter of visitors to BCP (25%) do not support a ban on lighting any open fires.

3.2.2.2 Differences by protected characteristics

Figure 7 – Proportion of support for a ban on lighting any open fires by personal characteristic group

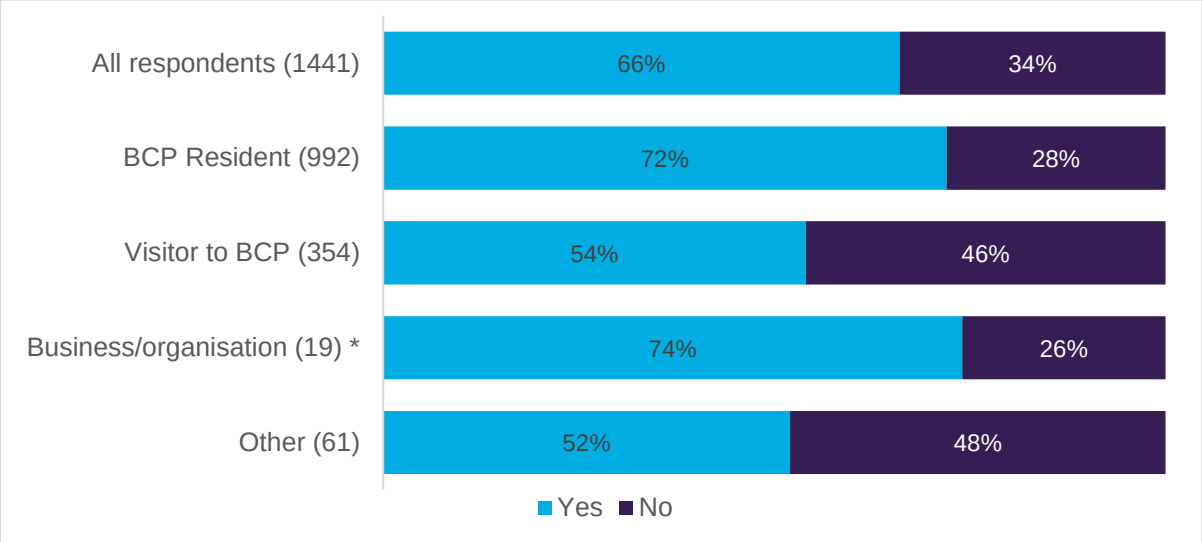


Base: As labelled

- Support for a ban on lighting any open fires in open spaces is highest among the oldest age groups: 85+ (100%), 75-84 (99%) and 65-74 years old (95%)
- Those aged 25-34 years old are significantly more likely to not support a ban on lighting open fires (58%) compared to all older age groups (i.e. 35+)
- Heterosexual respondents are significantly more likely to support this suggested ban (86%) compared to those who are lesbian, gay, bisexual or any other sexual orientation (67%). This is likely to be associated with age as respondents from the LGB community are from the younger age groups.
- Support for banning lighting of any open fires is highest among Christians (92%) and significantly higher than those with no religion (81%) and those from all other religions (59%). This is likely to be associated with age as respondents who are Christian are more likely to be in the older age groups.
- Those who are from all other religions are significantly more likely to not support a ban on open fires (41%) than those with no religion (19%) and those who are Christian (8%)

Lighting any barbeques

Figure 8 – Support/non-support for a ban on lighting any barbeques



Base: As labelled

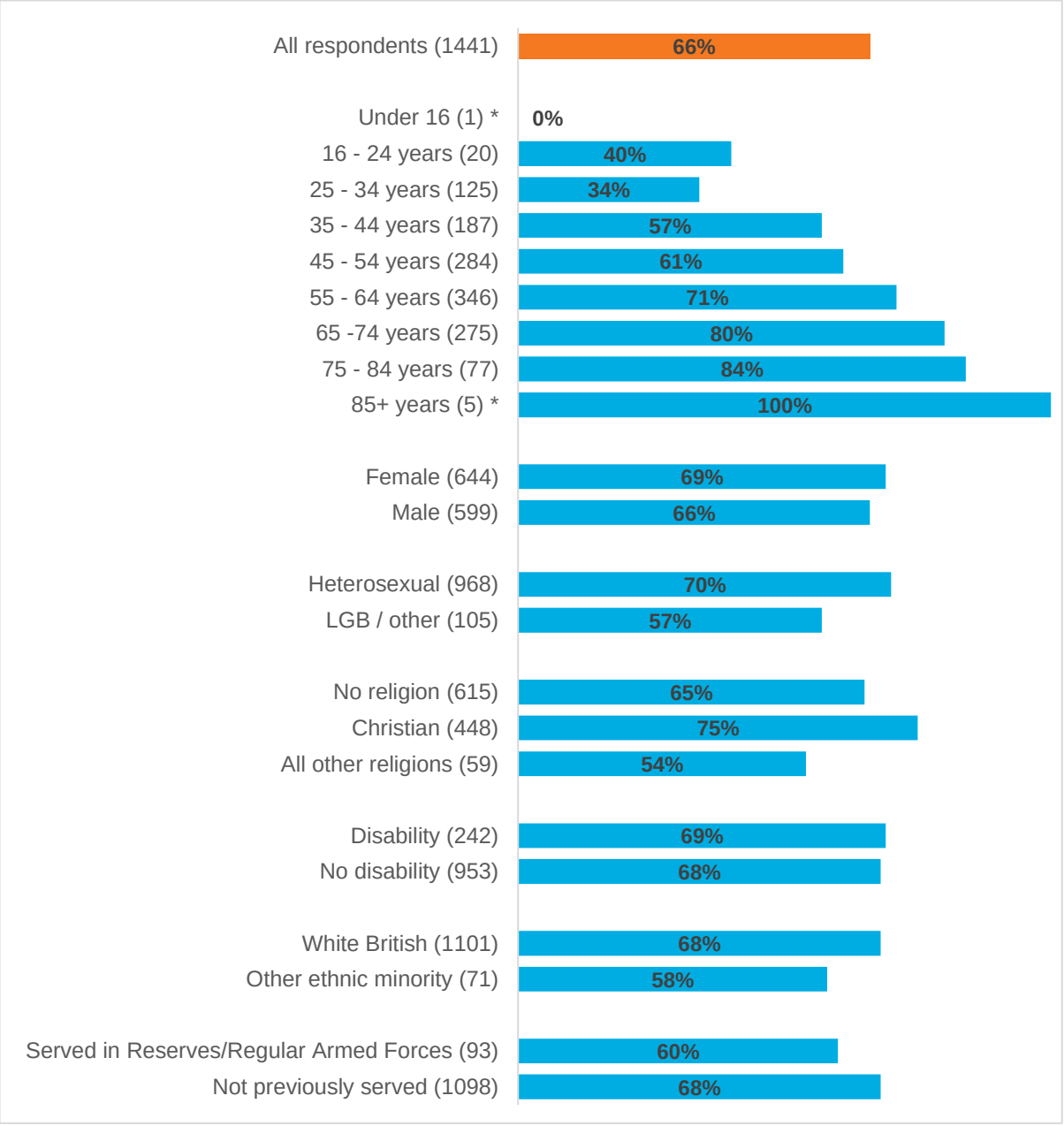
Two-thirds (66%) of all respondents support a ban on lighting any barbeques in selected open spaces, parks and heathland across BCP.

By respondent type, the highest proportion of support is from businesses/organisations (74%), followed by BCP residents (72%). Support is significantly higher from BCP residents (72%) compared to visitors to BCP (54%) and other respondents (52%).

The highest proportion of non-support is from other respondents (48%) and visitors to BCP (46%)

3.2.2.3 Differences by protected characteristics

Figure 9 – Proportion of support for a ban on lighting any barbeques by personal characteristic group



Base: As labelled

- Support for a ban on lighting any barbeques is highest among the oldest age groups: 85+ (100%), 75-84 (84%), 65-74 (80%) and 55-64 (71%)
- Those aged 75-84, 65-74 and 55-64 are significantly more likely to support this ban than those in all age groups from 16 to 54

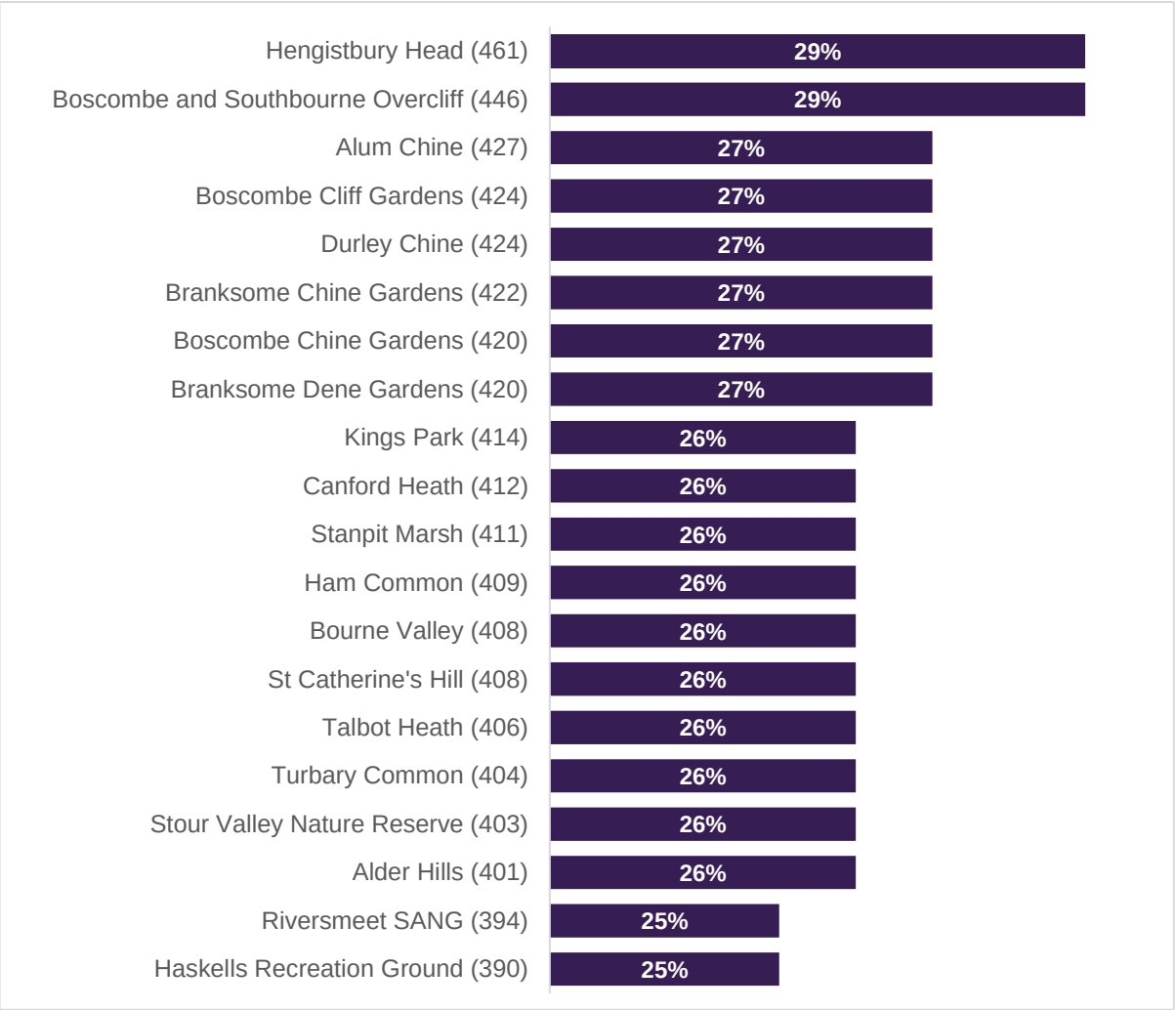
- 25-34 year olds are significantly more likely to not support a ban on lighting any barbeques in open spaces (66%) compared to all older age groups (i.e. 35+)
- Support for a ban on lighting any barbeques in open spaces is significantly higher among heterosexual respondents (70%) than those whose sexual orientation is lesbian, gay, bisexual or other (57%)
- Christian respondents are significantly more likely to support the suggestion of a barbeque ban in open spaces (75%) compared to those with no religion (65%) and those from any other religion (54%)

3.2.3 Included areas for Open Spaces PSPO

In the consultation document and Appendix, the proposed open spaces, parks and heathlands that are suggested for inclusion are detailed. From this, respondents to the survey were asked whether there are any of these that they feel should not be included in an open spaces PSPO.

Respondents were told to leave the question blank (i.e. not select any options) if they think all of these areas should be included in the PSPO. The percentages have been calculated as a proportion of all respondents.

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



Base: 1564

The three areas that were chosen by the most respondents and therefore the most people feel should not be included in an open spaces PSPO are Hengistbury Head (29%), Boscombe and Southbourne Overcliffe (29%) and Alum Chine (27%).

For BCP residents, the areas which were selected by the most respondents were Hengistbury Head (20%), Boscombe and Southbourne Overcliffe (19%) and Boscombe Cliff Gardens (18%).

For visitors to BCP, over half of respondents feel that Boscombe and Southbourne Overcliffe (53%), Hengistbury Head (52%) and Alum Chine (51%) should not be included within the PSPO.

3.2.4 Open spaces PSPO – Other comments

Respondents were asked to provide comments they wished to make about the proposed open spaces PSPO. 593 respondents provided feedback to this question which has been coded into themes to make them easier to interpret. Please note that where respondents have provided comments that relate to more than one theme, their feedback has been categorised into multiple categories.

Responses were coded in to four key themes relating to 'comments about the overall PSPO', 'open fires and barbeques', 'overnight camping' and 'other comments and suggestions'.

Theme	Number of comments
Comments about the overall PSPO	288
Open fires and barbeques	181
Overnight camping	358
Other comments and suggestions	78

Comments about the overall PSPO

There were 288 comments about the open spaces PSPO in general.

36 respondents commented that they **supported the PSPO overall** and that areas need to be protected.

"All of these locations are important and need to be protected. "

"As a visitor to these places, I don't see any problem with all of the suggested bans."

In addition, 81 respondents suggested **other areas that should be included** within the open spaces PSPO. The areas that were suggested are listed in the table below.

Areas suggested to be included within the open spaces PSPO		
Avon Beach car park	Kinson Common	All open spaces within BCP
Blake Dene Common	Kite Beach	All local SANGs / nature reserves
Bournemouth Gardens	Meyrick Park	Beach and clifftop roads
Broadstone woodland areas	Mudeford Quay and Sandspit	All bus and rail stations
Canford Cliffs	Pinecliff Gardens	All children's playground areas
Canford SANG	Poole Heath	All local recreation fields

Charminster	Portman Ravine	All local skate parks
Churchill Gardens	Queens Park	
Coy Pond	Redhill Park	
Creekmoor Ponds	Shore Road	
Dunyeats Heath	Slades Farm	
Evening Hill	Steamer Point Nature Reserve	
Friars Cliff	Throop	
Hamworthy Park	Throop SANG	
Harbourside Park	Turlin Moor recreation field	
Highcliffe Beach and cliff top	Upton Heath	
Highcliffe Castle	West Cliff Gardens	
Horseshoe Common	Wick	
Iford Meadows and The Rookery	Winton	

However, 64 respondents commented that they **do not support the open spaces PSPO** without specifying which element of it they opposed. These respondents commented that the PSPO restricts their freedom and rights to access, the areas should be open to all and there is no need for a blanket ban on activities. In addition, 30 respondents commented that the PSPO **punishes the majority who use the areas with respect** due to the actions of a few.

"I fear that the introduction of PSPOs will be a further erosion of people being able to enjoy open spaces and an erosion of their freedoms just because of a minority who are disrespectful of their environment. For safety and environmental reasons, it makes sense to ban open fires and barbecues on beaches and heathland but you don't need to have PSPOs for that. You could use another legal mechanism."

"It is what it says open spaces for the enjoyment of all. No restrictions should be placed on this freedom."

"Blanket bans aren't the answer, you're also punishing people that aren't causing a problem. Your proposed PSPO's seriously affect people's freedom."

41 respondents expressed **concern as to how the PSPO would be enforced** with the need for more staff, which would create additional costs for the council.

"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."

26 respondents commented that there are **existing laws and legislations** that can be used to tackle any anti-social behaviour and other activities that have a detrimental impact on others.

"There are already systems/laws in place to curb these situations if a problem occurs."

"There should not be any type of blanket ban. The police have enough powers already to stop nuisances and can use their discretion to allow people who are not a nuisance to enjoy the area responsibly and spend money in the area."

Other comments reference that these measures **move the issues elsewhere rather than solving them** altogether and that the council should **provide designated areas** where the activities can be done in a safe and controlled manner.

Overnight camping

There were 358 comments about the proposed ban on overnight camping.

78 respondents commented that they **opposed the ban on overnight sleeping in motorhomes and campervans**, with reasons being that those who do so are responsible and respectful of the places that they stay. They do not cause litter or damage and have minimal impact on the areas that they stay.

"Banning sleeping in a vehicle/van is not harmful to anyone or the environment as long people obey other rules and behave responsibly."

"I do not agree the overnight parking should be banned in all these areas. This restricts the majority of tourers who are clean and responsible owners from visiting the area and providing much needed revenue to local businesses and services."

"People should not be restricted from sleeping in overnight vehicles anywhere. They are causing no harm by doing this. People should only be penalised for causing harm, such as leaving litter or harming the environment."

"As a visitor I understand residents' concerns and understand the council needs more powers. If people in a motorhome have toilet, waste water tanks etc then they should not be a problem."

59 respondents commented that they were against the ban on overnight camping because **people sleep in vehicles and camp for a variety of reasons and circumstances**. The council should not discriminate against those who choose to do so or are homeless. These respondents also commented that they camp overnight or sleep in their vehicle because of the cost of living crisis and the council needs to tackle these issues rather than punish people by banning places that they can sleep.

"A ban on overnight sleeping is unfair on those that have been made homeless for whatever reason and need somewhere to sleep safe and dry. Many more will become homeless as the cost of living crisis expands."

"Are BCP going to provide safe, secure accommodation for the homeless people these PSPOs will undoubtedly be targeted with?"

"I actually live in my van, I work full-time and have my own business, but because of lockdown I didn't have enough books to rent or buy a property, and because I don't have children I wasn't eligible for a council property so I came up with the idea of living in the van. Something councils are making much more difficult but not making housing options accessible either."

Furthermore, 53 respondents commented that those who camp or sleep in the vehicles overnight **contribute to the local economy** and spend money in shops, bars and restaurants and therefore should not be discouraged from visiting.

"Banning camper vans/motorhomes from overnighting will deprive local businesses of income."

"I can only see local business suffering from a lack of visitors and the money they spend. Allowing vehicles with their own facilities to park overnight are well known to spend in the local area."

"Overnight parking in self-contained motorhomes brings in local spend winter and summer some allocated spaces will also bring in revenue."

44 respondents suggested that the council should make use of local car parks and **create designated areas and Aires** for overnight stays in controlled and monitored places. 16 respondents also suggested that the council could **charge a fee for people to stay**, creating additional revenue for the council.

"We should be providing cheap places for camping, caravans and RV's - visitors will then be managed and spend locally."

"If you are going to ban overnight camping in vans you need to open a space where we can say pay £5 a night to stop in. There are very few options in the area and a massive lack of campsites to go to in the area."

"Allow paid for parking for motorhomes to stay overnight and people allowed to sleep in their vehicles. This is common practice in Europe and Scotland, with paid for water and waste facilities provided. Max 48 hour stay."

In addition, 22 respondents commented that **camping should not be banned**; people camp responsibly and should not be categorised as anti-social behaviour to do so.

"The ban on camping will only effect the many who camp and leave no trace and who go largely unnoticed."

"Camping should not be banned as the majority of people camp responsibly."

27 respondents commented that the proposed bans would **discourage people from visiting the local area**. These respondents also commented that it would only be adhered to by those who are responsible and treat the area with respect, while those who cause issues would still visit. Therefore issues would continue to occur regardless of any restrictions.

"A ban on camping overnight is going to stop overnight stays for motorhomes and their like which is likely dissuade a large proportion of your visitors to go elsewhere."

"People staying overnight in their vehicles help to stop any anti-social behaviour!"

"Overnight camping will still happen by those that cause the problems noted by residents. There is no point spoiling benefits for the many due to the poor behaviour of the few."

10 respondents suggested that people should be allowed to **stay overnight for a limited amount of time** so that people could visit the area but not stay for long periods of time, impacting on local residents.

"Banning people from sleeping in their vehicle is outrageous. Why don't you instead have a designated area for 24/48 hours, at a small price, allow this to happen. The money you raise pays for the upkeep and it welcomes people who spend money in local businesses."

8 respondents commented on the negative impact that motorhomes and campervans have on **local residents**, including being blocked in driveways and general feelings of discontent of them being parked in residential areas.

"Last year we noticed a large number of motorhomes parked on Boscombe Overcliff Drive. A family group of two vans were noticed staying nearly 2 months - living and sleeping. Not to be encouraged!"

Other comments include that overnight camping and parking have a **detrimental impact on local area**, that those who sleep overnight often leave **litter** and do not clean up after themselves, that camping should be **banned on beaches**. That people who **drive for a living** need places to be able to rest and sleep, that the ban on overnight camping should **only apply to tourists** and not locals, that camping should be banned because the **area becomes a campsite** in summer months and visitors should use proper campsites and that **camping should be allowed but barbeques should be banned** because they are not needed to enjoy camping.

Open fires and barbeques

There were 181 comments about the proposed bans on lighting open fires and barbeques.

37 respondents commented that they **agree that there should be a ban on barbeques and fires** in open spaces, parks and heathlands.

"I fully support any moves to stop irresponsible use of fire and BBQs in our open spaces."

"I strongly support banning all barbecues in public areas and especially the disposable ones. I would support banning the sale of them in shops, although that's beyond the scope of this."

42 respondents commented that **beach hut users** (especially those on Mudeford Spit) should be allowed to use BBQs. Reasons for this included that barbeques are their only form of cooking, they are used (and disposed of) responsibly and beach hut residents should be allowed to use them within a set perimeter of their huts.

"BBQ use by hut residents in close proximity to their hut should be permitted as these are effectively residential spaces. Specification of how close to huts should be determined e.g. a 2 metre perimeter."

"BBQs are often the main way of cooking for residential hut owners on Mudeford Sandbank. They should still be permitted."

"I am concerned if a BBQ ban was put in place on Mudeford Spit that hut owners would come under this same rule. BBQ's are safely lit usually just in front of the huts and disposable BBQs aren't used. It would be unfair if hut owners couldn't use their hut as intended for an afternoon BBQ with family and friends."

40 respondents commented on **safety risks of fires and/or barbeques** on the local environment. Respondents commented that there is an inherent risk of fire spreading and causing damage to the local open spaces, while there are also issues with barbeques and coals not being properly disposed of.

"I fully agree with the ban on fires (of any sort) to protect the wildlife/environment of the area."

"It is sensible to ban open fires and BBQs to protect these sensitive areas, especially as climate change has caused drier conditions and drought in recent years, causing a risk of fires and destruction of landscape, habitat and wildlife."

"Open fires are clearly a danger to our wildlife and the environment, it also takes council resources to have to clear up the rubbish left behind from the people gathering in these areas and lighting BBQs."

16 respondents suggested that barbeques should continue to be allowed in **designated areas** and available to use, similar to those set up along the seafront.

"There may be the possibility of creating designated BBQ areas in some locations."

"If you are concerned about fires, offer facilities in these areas for people to do so safely. Would be easier, cheaper, and more effective than trying to police a ban."

14 respondents commented that **disposable barbeques should be banned but portable ones should continue to be allowed**.

"BBQs can be safely used generate great community and cheap family time when we are all suffering under the cost of living, if they are good portable ones the ban should be on disposable BBQs that are dangerous with no lids this prevents and lowers risk."

"I actually think the ban should only apply to disposable BBQs which are a severe risk on so many levels and seem to be used by people who have less common sense or consideration for others. However - there are very cheap (bucket type) non-disposable BBQs which may very well fill the space if the ban was specific."

Other themes that emerged were that the **smell and smoke from barbeques** can ruin the enjoyment of the area for others, that they were **against the ban** because barbecuing is a pastime and a ban would discourage use of the local area, that while larger gatherings are an issue, **family barbeques do not cause any harm** and that a ban on open fires would negatively impact on **community fire events and local performers**.

While not part of the open spaces PSPO, 7 respondents commented that barbeques should be **banned on beaches**. Conversely, 12 respondents felt that both open fires and barbeques should be **allowed on beaches**. Similarly relating to the proposed restrictions within the coastal areas PSPO, 2 respondents commented that the use of barbeques **after 6pm** should be allowed.

Other comments and suggestions

There were 78 comments and suggestions that did not directly relate to the open spaces PSPO.

31 respondents commented that **anti-social behaviour** that has a detrimental impact on others should also be included in the open spaces PSPO. Behaviour that is intimidating to others should be addressed, and should include littering, foul language, drinking alcohol and drug use.

"People should be able to enjoy these spaces without feeling intimidated by certain individuals intent on ruining it either by anti-social behaviour."

"We need to include alcohol. Something around excessive drinking or drinking that leads to ASB. Not punishing all but ones that ruin it for others."

"Litter: this is a significant issue too. I do not know the cost to BCP to collect but given it is a criminal offense then why doesn't BCP employ on certain times of the year when high numbers visit e.g. bank holidays, polite, friendly security guards who engage with the public and point out that dropping litter is an offense and anyone dropping litter will be arrested/fined."

In addition, 15 respondents commented about **loud music**, with responses offering contrasting views as to whether it should be included within the open spaces PSPO or not.

"I don't understand why the issue of prevention of excessive noise is not included for the open spaces PSPO. The noise that can emanate from the radios/music systems of users of the basketball court in Boscombe Chine can ruin many pleasant afternoons."

"I think the use of speakers to play music should be allowed at the beach volleyball courts in Boscombe."

7 respondents commented that people need to be **educated** on how to use the local area with respect for others and to ensure that their behaviour is appropriate.

"Banning people from living their lives is not the answer. Educating people to be more responsible is a better approach if required."

"I am concerned that people will be unaware of the restrictions until they receive a Fixed Penalty Notice. I appreciate that there will be signs but these do not always make things any clearer."

4 respondents commented about **other parking restrictions** and issues, including along Whitecliff Road, the use of Hengistbury Head car park by motorbikes, installation of paid parking along the entire clifftop and the need to have parking spaces available for the local community to use.

"I would also install paid parking on the entire clifftop from Southbourne to Poole. BCP are always looking for new ways to make money, and NOT charging for parking on the Overcliff between Southbourne and Boscombe means the council are missing out on valuable income. People have to pay to park on other areas of the clifftop (Boscombe to Bournemouth), so why not Southbourne?"

"Hengistbury Head Car Park suffers from motorbikes which occasionally cross the green spaces at night. If these new

PSPO powers enable the authorities to act to stop this then it would be beneficial to residents and visitors and wildlife."

8 respondents commented that **dogs** should be kept on their leads, should not be allowed on beaches and that better enforcement of picking up dog mess was needed.

"Dogs are ubiquitous and a problem now in all public spaces - frequently not under control by the thousands of new dog owners."

"You are missing and not addressing nuisance dogs. You ban people from the dunes, but dogs leave their mess there and as we have to cross the dunes to get to our garden, it's frankly disgusting. Our kids have also been knocked over by dogs too."

4 respondents were **unsure what a PSPO is**, what is covered by them and where is included by them.

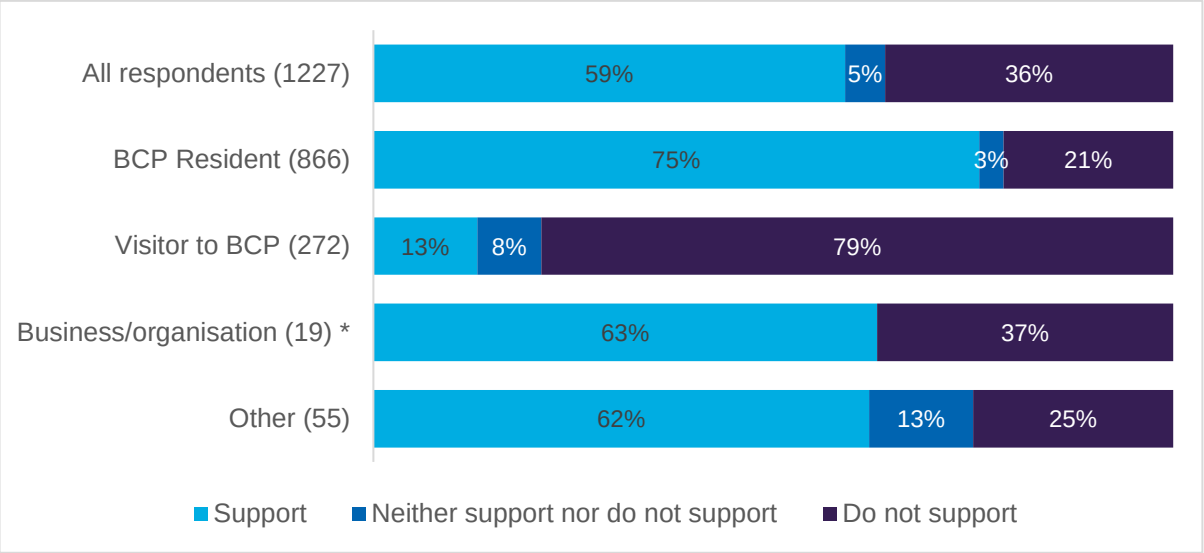
"What is a PSPO? Please can you write it in full so we understand it."

"I'm assuming this refers to cliff tops, grasslands and car parks."

Other comments relate to the need for more **bins** to be provided by the council, the issue of **cyclists** along the promenade and the need for more obvious signage relating to the cycling restrictions, the rights of **fishing** in lakes and the sea and that the **ban on fires should also apply to the council** and they should not be allowed to do controlled fires on heathland.

3.3 Highways and Car Parks PSPO

Figure 11 – To what extent do you support the principle of a PSPO being implemented on some of our highways and car parks? By respondent type



Base: As labelled

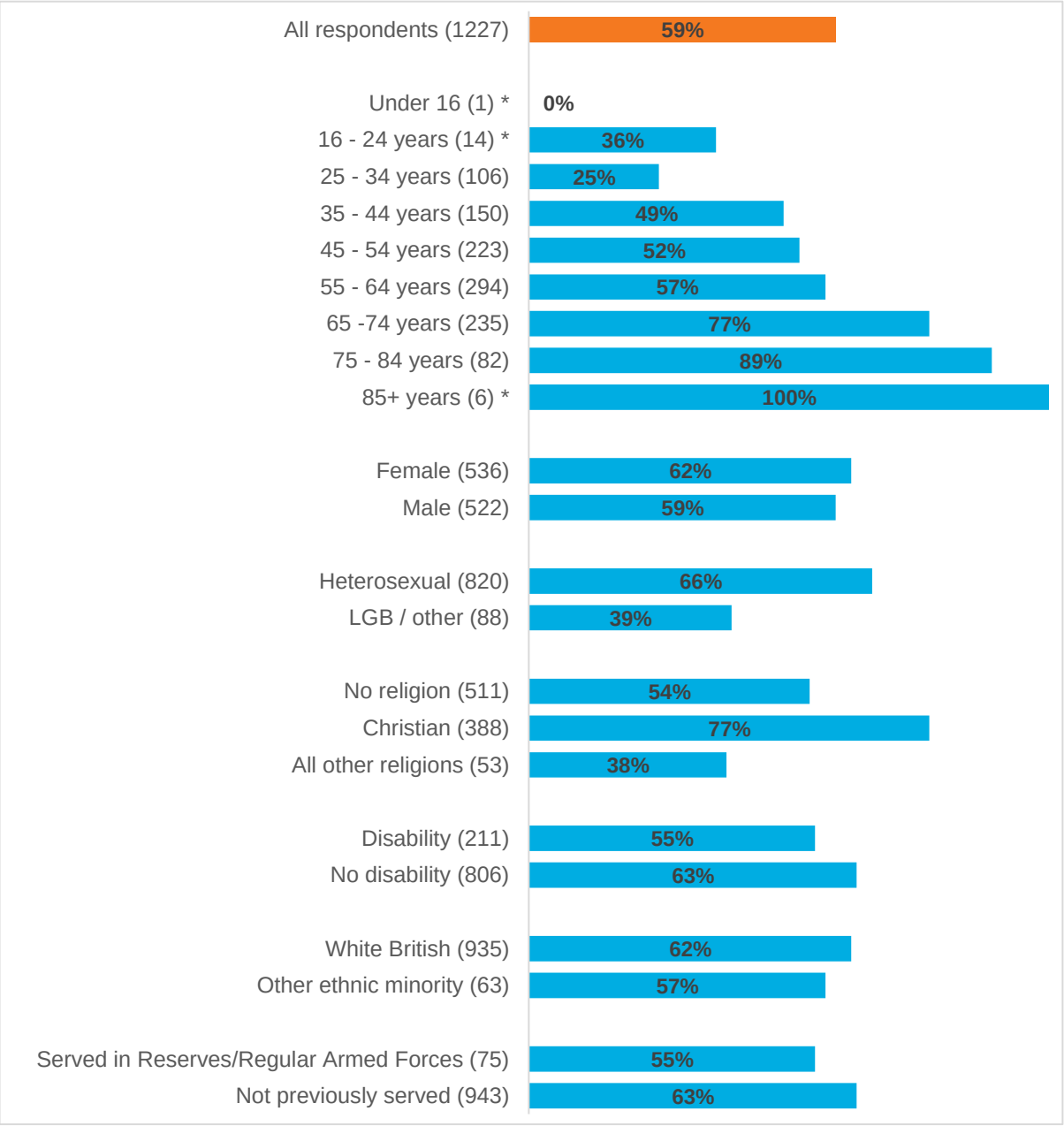
Just under three-fifths (59%) support the principle to introduce a PSPO to some highways and car parks in the BCP area, whilst over a third (36%) do not support this.

Three-quarters (75%) of BCP residents who responded support a highways and car parks PSPO, significantly higher than those who identified as a visitor to BCP (13%) and 'other' respondents (62%).

Just under four-fifths (79%) of visitors to BCP do not support a highways and car parks PSPO, significantly higher non-support compared to all other respondent groups: respondents who are BCP residents (21%), 'other' respondents (25%) and businesses/organisations (37%).

3.3.1.1 Differences by protected characteristics

Figure 12 – Proportion of support for a highways and car parks PSPO by personal characteristic group



Base: As labelled

- Support for a highways and car parks PSPO is significantly higher for those aged 75-84 (89%) and 65-74 (77%) compared to all age groups between 16 and 64 years old
- Those aged 25-34 are significantly more likely to not support a PSPO in highways and car parks (72%) compared to respondents aged 35 and over.
- Heterosexual respondents are significantly more likely to support this PSPO (66%) than those who are lesbian, gay, bisexual or other (39%). This is likely

to be associated with age as respondents from the LGB community are from the younger age groups.

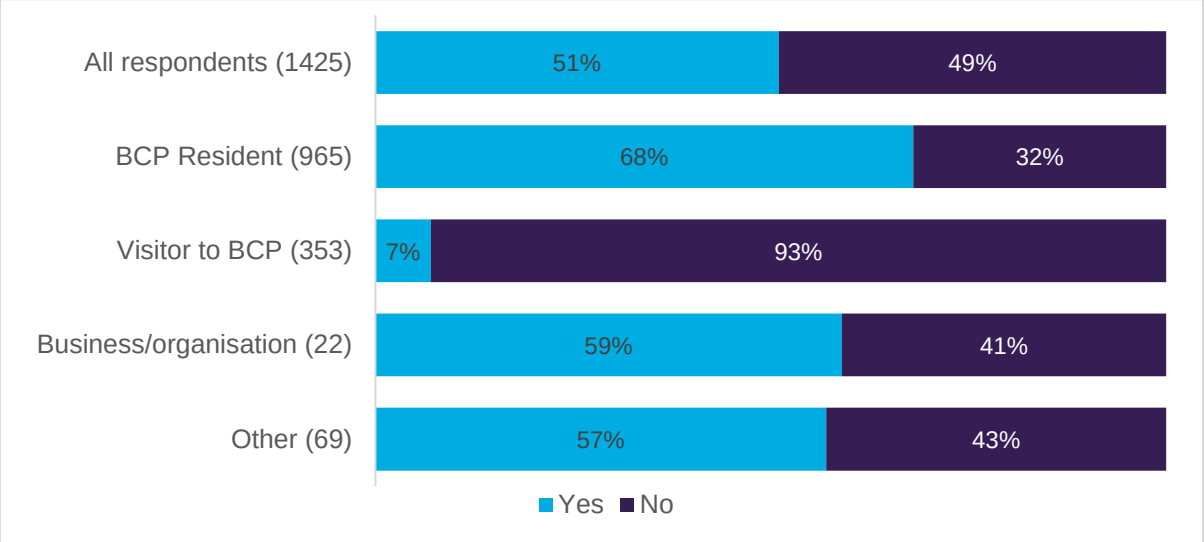
- Those who are Christian are significantly more likely to support this PSPO (77%) than those with no religion (54%) and those with any other religion (38%). This is likely to be associated with age as respondents who are Christian are more likely to be in the older age groups.
- Those without a disability are significantly more likely to support a highways and car parks PSPO (63%) compared to those with a disability (55%)

3.3.2 Overnight sleeping in vehicles, loud music and anti-social behaviour

Respondents were then asked three questions regarding finer details of what may be included in a Highways and Car Parks PSPO and whether they would support them being included.

Overnight sleeping in vehicles

Figure 13 – Support/non-support for a ban on overnight sleeping in vehicles by respondent type



Base: As labelled

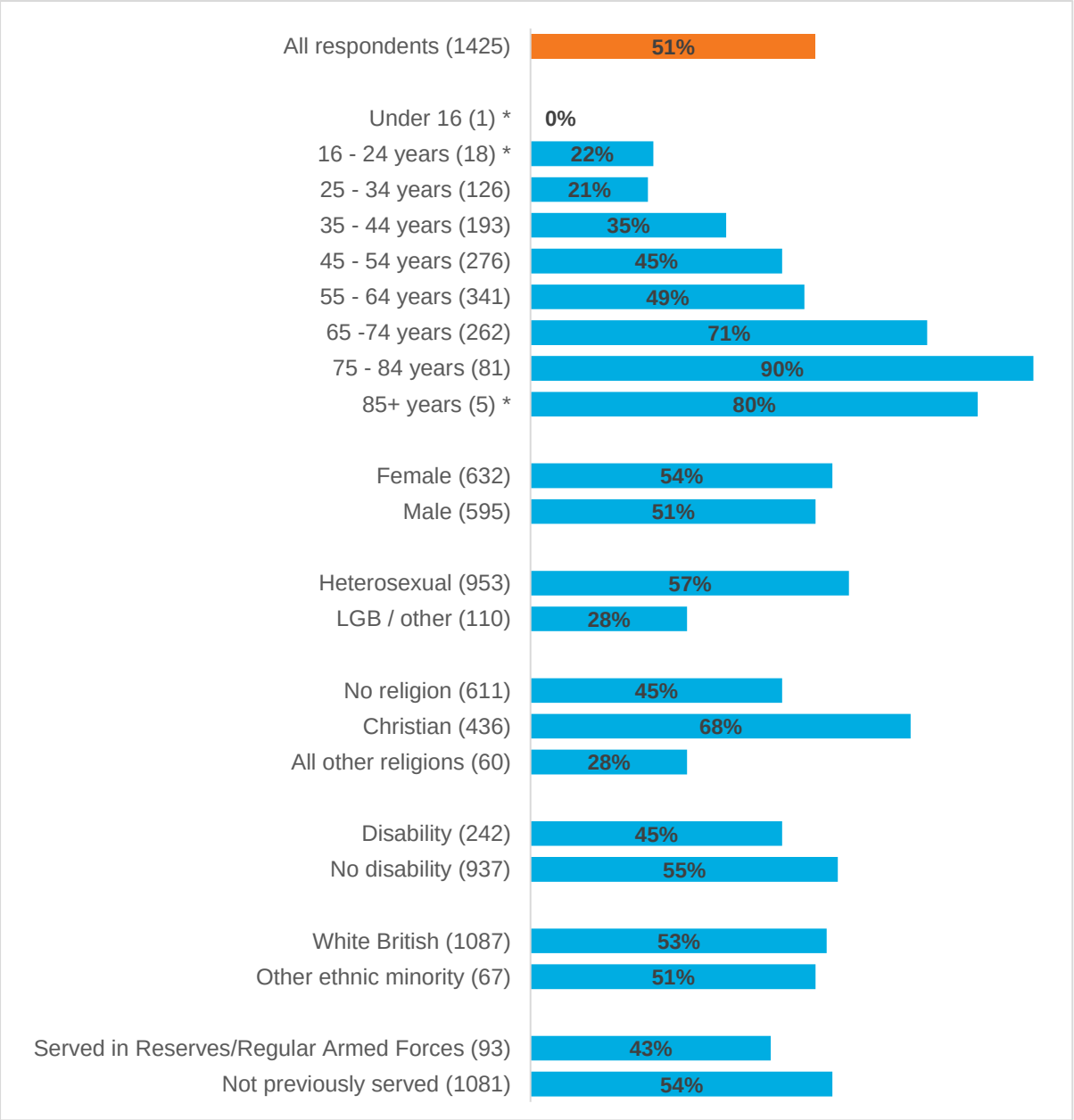
Across all respondents, half (51%) support a ban on overnight sleeping in vehicles whilst half (49%) do not support this ban.

The highest proportion of support by respondent type is by BCP residents (68%), followed by businesses/organisations (59%) and other respondents (57%) – all significantly higher than support from visitors to BCP (7%).

More than nine in ten (93%) of visitors to BCP do not support a ban on overnight sleeping in vehicles as part of the Highways and Car Parks PSPO, significantly higher non-support than from all other respondent types.

3.3.2.1 Differences by protected characteristics

Figure 14 – Proportion of support for a ban on overnight sleeping in vehicles by personal characteristic group

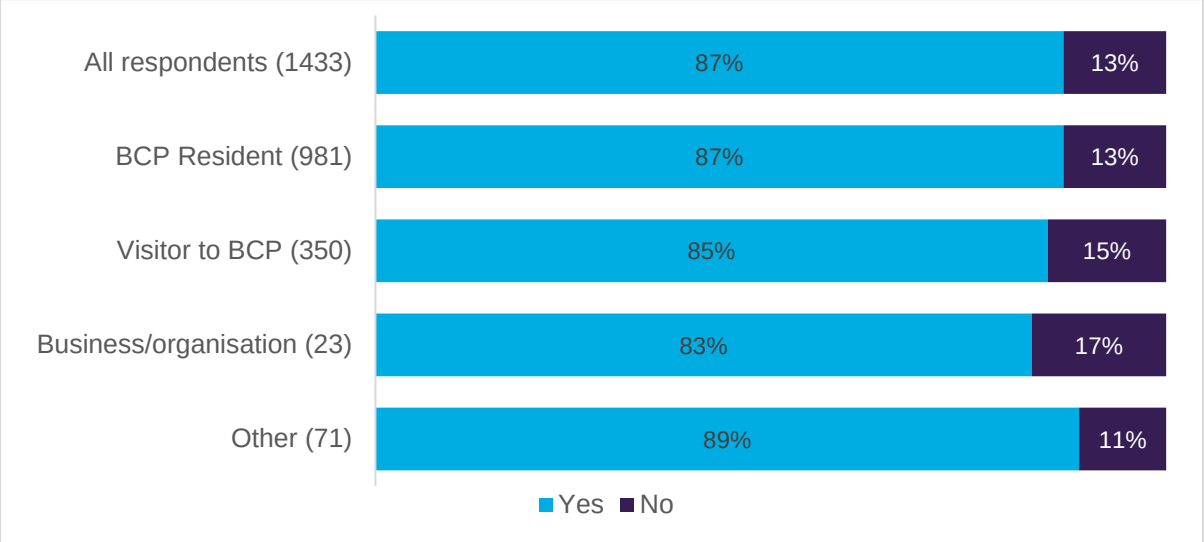


Base: As labelled

- The highest level of support for a ban on overnight sleeping in vehicles is from 75-84 year olds (90%) and is significantly higher than all age groups from 16 to 74
- 25-34 year olds are significantly more likely to not support a ban on overnight sleeping in vehicles (79%) than all older age groups (i.e. 35+)
- Those who are heterosexual are significantly more likely to support this ban (57%) compared to those who are lesbian, gay, bisexual or other (28%)
- Christians are significantly more likely to support a ban on overnight sleeping in vehicles (68%) compared to those with no religion (45%) and those from any other religion (28%)
- Respondents who do not have a disability are significantly more likely to support this ban (55%) than those who have a disability (45%)

Playing loud music which has a detrimental impact on others

Figure 15 – Support/non-support for a ban on playing loud music which has a detrimental impact on others by respondent type

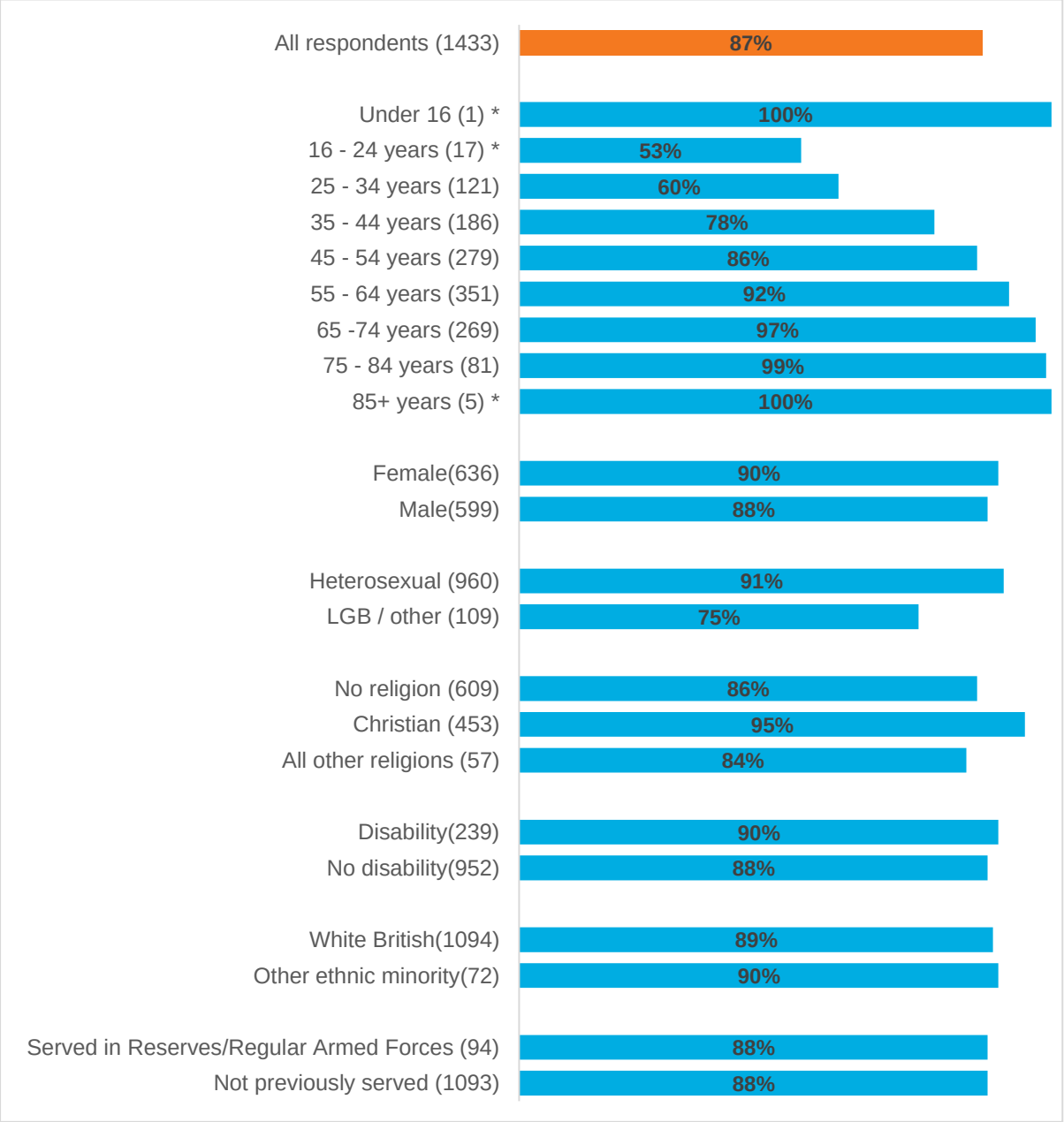


Over four-fifths of all respondents (87%) support a ban on playing loud music which has a detrimental impact on others.

By respondent type, support is high across all types. The highest support for this ban is from other respondents (89%), followed by BCP residents (87%). There are no significant differences for levels of support across respondent types.

3.3.2.2 Differences by protected characteristics

Figure 16 – Proportion of support for a ban on playing loud music which has a detrimental impact on others by personal characteristic group



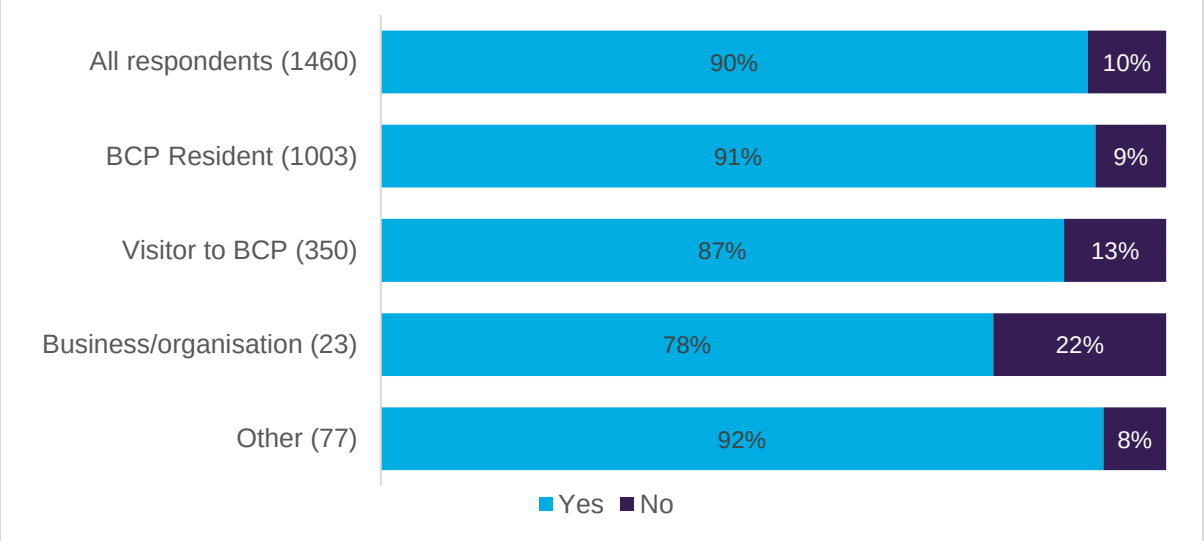
Base: As labelled

- Support for a ban on playing loud music is highest among the oldest age groups, particularly those 85+ (100%), 75-84 (99%), 65-74 (97%) and 55-64 (92%)
- Those aged 75-84, 65-74 and 55-64 are significantly more likely to support this ban than those in all age groups between 16 and 54

- Those aged 16-24 are significantly more likely to not support this ban (47%) as well as those aged 25-34 (40%) compared to all age groups between 35 and 84
- Those who are heterosexual are significantly more likely to support a ban on playing loud music (91%) compared to those who are lesbian, gay, bisexual or other (75%)
- Christians are significantly more likely to support a ban on playing loud music (95%) compared to those with no religion (86%) and those from all other religions (84%)

Acting in an anti-social manner which has a detrimental impact on others

Figure 17 – Support/non-support for a ban on acting in an anti-social manner which has a detrimental impact on others by respondent type

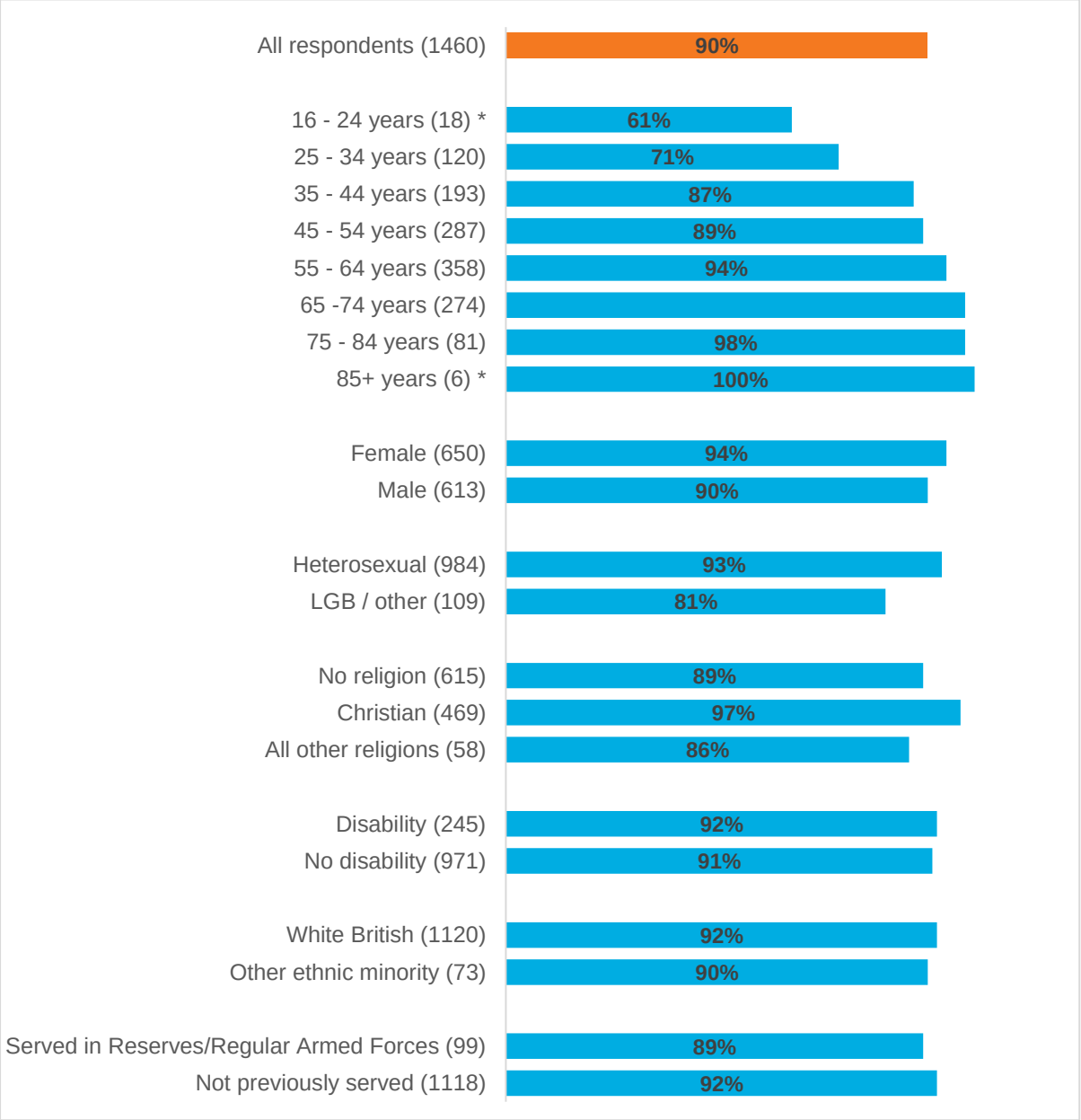


Nine in ten (90%) of all respondents support a ban on acting in an anti-social manner which has a detrimental impact on others as part of a Highways and Car Parks PSPO.

By respondent type, other respondents show the highest support for this ban (92%) followed by BCP residents (91%), whilst businesses/organisations show the least support (78%) followed by visitors to BCP (87%). There are no significant differences for levels of support across respondent types.

3.3.2.3 Differences by protected characteristics

Figure 18 – Proportion of support for a ban on acting in an anti-social manner which has a detrimental impact on others by personal characteristic group



Base: As labelled

- Support for a ban on acting in an anti-social manner is highest among the oldest age groups, particularly those 85+ (100%), 75-84 (98%), 65-74 (98%) and 55-64 (94%)
- Those aged 75-84 and 65-74 are significantly more likely to support this ban than those in all age groups between 16 and 54

- Females are significantly more likely to support a ban on acting anti-socially in a manner detrimental to others (94%) compared to males (90%)
- Those who are heterosexual are significantly more likely to support this ban (93%) compared to those who are lesbian, gay, bisexual or other (81%)
- Christians are significantly more likely to support a ban on playing loud music (97%) compared to those with no religion (89%) and those from all other religions (86%)

3.3.3 Highways and car parks PSPO – Other comments

Respondents were asked to provide any comments they wished to make about the highways and car park PSPO. 493 respondents provided feedback to this question which has been coded into themes to make them easier to interpret. Please note that where respondents have provided comments that relate to more than one theme, their feedback has been categorised into multiple categories.

Responses were coded in to five key themes relating to 'comments about the overall PSPO', 'overnight sleeping in vehicles', 'the playing of loud music', 'acting in an anti-social manner' and 'other comments and suggestions'.

Theme	Number of comments
Comments about the overall PSPO	129
Overnight sleeping in vehicles	442
The playing of loud music	56
Acting in an anti-social manner	117
Other comments and suggestions	22

Comments about the overall PSPO

There were 129 comments about the highways and car park PSPO overall, without being specific about the different elements proposed within it.

Of these, 10 respondents commented that they **supported the PSPO generally**, while 5 respondents commented that **people need to be respectful** and think about how their actions impact others.

"Bravo to the council for actually trying to do something about the mindless minority who spoil things for everyone else. Whether it's loud music, people sleeping rough in vans or BBQs littering our gorgeous beaches, at least we now have a way to fight back. Common sense and decency might now stand a chance."

"Totally support the proposed action for the residents like myself and the many visitors we have who need to come here and see a clean well-kept environment."

"People need to think about the impact of their actions on others."

17 respondents suggested **other areas that need to be included** within the PSPO. Areas suggested included all off-street car parks and highways within BCP, all car parks with access to Canford Heath, Alma Road and the Winton area. Other respondents also suggested car parks and roads close to coastal areas, including beachfront car parks, Avon Run Road, Harbourside Park and surrounding roads, Hamworthy car park, Lake Drive and Branksome Chine.

However, 12 respondents commented that they **did not support this PSPO** and it restricted their right to access all open spaces and their freedom. A further 9 respondents commented that the PSPO **unfairly punishes the majority** due to the actions of a few and there was no need for a blanket ban. 3 respondents commented that **people should be left alone if they aren't causing any problems** or causing disturbances.

"It is against the rights of a British citizen to be banned from freedom of movement or using public spaces as long as it does not affect others."

"Again there is no need to ban the majority of well-behaved people who are holidaying in the area and bringing in revenue, just focus on those who are being anti-social and kick them out, give fines."

"If people are not being anti-social and there are no health and safety implications, then leave them alone. This is a free country and not a police state."

33 respondents commented that the PSPO **will need enforcing** and questioned how the council will be able to achieve this. Respondents commented that the council would need to employ more staff to enforce the restrictions, while others questioned who decides what constitutes the restricted behaviour. 9 respondents also questioned **what constitutes behaviour which has a detrimental impact** on others. A further 24 respondents commented that there are **existing laws and legislation** that already cover the restricted behaviours and that the issues can be dealt with by the police as opposed to implementing the PSPO.

"Enforcement will have to be a priority. Otherwise, it is pointless putting these in place."

"If these areas are included, more enforcement officers will be needed or you are only paying lip service to the issue."

"Who would decide whether it is detrimental to anyone else? Surely this is already covered within the law."

"Use existing regulations and do not curtail the enjoyment of facilities by the vast majority who do the right thing."

4 respondents commented that the PSPO would **discourage people from visiting the area**, while 3 respondents felt that the PSPO would **move the issues elsewhere** rather than prevent them completely.

"Our town is inclusive and a fun place to be. Don't ruin this."

"There is always the possibility that banning in certain areas will cause 'push back' to other areas."

Overnight sleeping in vehicles

There were 442 comments relating to the proposed ban on overnight sleeping in vehicles within the highways and car parks PSPO.

4 respondents commented that they **supported the ban on overnight sleeping** in vehicles in highways and car parks in general.

"Car parks should only be what tax payers paid for them to be used for."

6 respondents commented that **campervans and motorhomes take up too many spaces** in car parks and so therefore supported the ban.

"In the summer, there are lots of large campers filling the car park at Mudeford Quay. These have obviously been slept in overnight and take away spaces for genuine parking."

20 respondents commented that overnight sleeping in vehicles on roads is **unsettling and disturbing for local residents**, including vehicles that park across driveways and along the cliff top. Local residents are also concerned as they do not know who is staying outside their homes.

"Last summer was a nightmare and all of the above had us "held captive" in our own homes by people camping over our roads sometimes blocking our drives."

"Overnight sleeping, sometimes weeks and months on end, is becoming more and more popular as can be seen from the many long-stay camper vans and work vans transformed into sleeping facilities, much to the detriment of quality of life

of local residents. It's even being promoted on camper van fan websites! It needs to stop so I welcome this PSPO."

6 respondents commented that overnight sleeping in vehicles **results in other anti-social behaviours** in car parks and highways.

"Overnight sleeping in vehicles (usually converted vans) has become a major blight across the area. Running smoky old diesel engines to keep warm, leaving mess behind them and creating an unpleasant environment for residents. Why must people who play by the rules, pay their council tax and contribute to the community, have freeloaders like this living on our streets and car parks?"

9 participants commented on **areas that are negatively impacted** by overnight sleeping in vehicles, including the car parks at Mudeford Quay, Branksome Chine and Lake Pier, as well as along the cliff top roads.

"The parking with overnight sleeping in Mudeford Quay is awful and should be banned while sections of parking disappears to huge motorhomes that leave mess and create noise."

However, 15 respondents commented that the PSPO **should not ban people from sleeping overnight in their vehicles**, without giving a reason as to why they felt this.

"Overnight stays in self-contained vehicles should be OK."

"A ban on sleeping in vehicles seems unreasonable."

45 respondents commented that **sleeping in vehicles is not anti-social behaviour** and that it does not harm anyone. In addition, 12 respondents commented that **it is not illegal to sleep in vehicles** and so should not be banned, while 10 respondents commented that the ban **restricts their freedom and right to access** these areas. 16 respondents felt that the **anti-social behaviours were what required a ban as opposed to sleeping in vehicles**.

"I'm not sure what harm someone sleeping overnight in their own vehicle does to the community?"

"Sleeping in vehicles does not in itself affect anyone else or the environment."

"Why a focus on people sleeping in cars? It's not something I've done, but I really don't see what problem this causes."

"Sleeping is not the same as anti-social behaviour. Let's not bundle them all together!"

"Camping and overnight parking should be permitted in all areas currently permitted, as well as in many places where they have already been arbitrarily banned - it is a major infringement on people's freedoms to restrict this right."

"I can understand super loud music and anti-social behaviour, but what overnight sleeping has to do with anything? If those people litter, make a mess, etc punish them and do not try to steal NORMAL people's freedom."

60 respondents commented that the ban **discriminates** against those who choose to live in a vehicle, the homeless and those who have fled their home due to suffering domestic abuse.

"A ban on overnight sleeping in all vehicles would disproportionately affect poorer sections who may need to sleep in their car (family problems etc)."

"A PSPO seems too drastic for this and would need assurance that would not inappropriately target people who are homeless, including temporarily."

"A total ban could affect the opportunity to sleep safely for people escaping domestic violence (often with children), people suddenly made homeless etc."

25 respondents commented that sleeping overnight should be **allowed in self-contained vehicles** with facilities such as toilet facilities and proper waste and water disposal.

"The proposed sleeping ban should exclude vehicles with on-board sanitation."

"Sleeping in vehicles should only be allowed for those so equipped, e.g. motorhomes and campervans which have toilet facilities."

38 respondents commented that the majority of **those who sleep in their vehicle, campervans and motorhomes are responsible and respectful** of the areas that they stay, often leaving the area cleaner than when they arrived. These people also help keep those who do act anti-socially away from the area.

"Most genuine motor-homers are respective of the area and can also curb any anti-social behaviour."

"People staying overnight in car parks has been known to significantly reduce anti-social behaviour!"

16 respondents commented that sleeping overnight in a vehicle **stops those who are tired or drunk from driving** when it is not safe to do so. In addition, 7 respondents commented that those who **drive for a living** need to be able to sleep in their vehicle.

"Not allowing overnight sleeping goes against the advice of the police and other safety bodies that warn against driving tired. Someone could lose their life driving while driving tired because they couldn't stop and sleep in their vehicle in Dorset."

"Banning overnight sleeping will just encourage drink drivers to continue on their journey for times when they would otherwise be off the roads and fast asleep in their vehicle instead. It is absolutely going to have a negative impact."

"As an HGV DRIVER it is imperative and LAW to take adequate rest. Are you suggesting people that are tired should be banned from sleeping?"

6 respondents questioned how the proposed ban would impact on the **travelling community**.

"It may also infringe the rights of Gypsies and Travellers."

15 respondents commented that the **ban would dissuade people from visiting the local area**, while 39 respondents commented that people sleeping in their vehicles generated **revenue within the local economy**, with those who do so spending money in local businesses.

"Overnight parking is good for local business. I read on average campervan visitors spend £75 per day in local business."

"Visitors who use a camper are keen to visit and will contribute to an area by spending money in local shops/restaurants etc."

"Banning overnight sleeping in motor-homers/camper vans will mean owners will go elsewhere to spend their money."

63 respondents commented that rather than banning people from sleeping in their vehicles in car parks, the council should make use of them and **provide Aires and designated spaces within car parks** for motorhomes and campervans to use. The council could charge for using these and therefore generate a source of income for the council, using spaces which would otherwise not be used overnight.

"Provision of car parks suitable for overnight stays should be made. A compulsory charge should be set to cover the cost of rubbish and recycling bins, a water tap and general maintenance. This must include the cost of policing the policy."

"BCP needs a designated campervan area with facilities."

"Overnight sleeping in vehicles should not be banned. Why not provide suitable paid option for those who can afford to and would like to stay?"

As a compromise, 14 respondents proposed implementing **time limits** on how long vehicles can stay in one place.

"What could possibly be the objection to charging for overnight stay in a car park, it could be limited to 24 or 48 hours thus avoiding the perceived nuisance of someone camping out for a longer block of time."

Other comments include a need for **more parking spaces** in general in the local area, questioning **how it would be possible to prove that people are sleeping** in their vehicles and enforce the ban, that overnight sleeping in vehicles should be **banned in the beach car parks**, that the ban should **apply all year round**.

The playing of loud music

There were 56 comments relating to the proposed ban on playing loud music which has a detrimental impact on others within the highways and car parks PSPO. 12 of these comments were **in support of the ban on loud music** in general, while 5 respondents commented that loud music ruins the **peace and tranquillity** of the local area for others. 4 respondents commented that they **felt intimidated** by those who play loud music.

"Good plan. Far too much loud music in car parks, open spaces and round the centre of Bournemouth itself."

"Loud music intrudes into others personal space and harmony."

"I have been in the area when loud music has been played and felt intimidated by those causing offence."

However, 11 respondents commented that they were **not in favour of a ban** on playing music, while 1 respondent commented that it prevents people from socialising.

"Freedom but also respect and policing. If music is not hurting anyone and behaviour is not hurting anyone, it should be allowed to continue."

"Whilst some of the suggestions to ban open fires on heathlands are sensible - plans to ban loud music and anti-social behaviour (without defining exactly what is meant by this) are likely to prevent social activities and even protests held on the beach."

9 respondents commented that there are **existing laws** that can already be used to address any issues with loud music being played, while 11 respondents questioned how loud music that has a detrimental impact on others would be determined and **who would monitor and enforce it**.

"This is worryingly authoritarian. Loud music can already be addressed under law, as a 'statutory nuisance'. So what are you trying to achieve that isn't already covered? And how do you distinguish between personal music and the music coming from bars etc?"

"Banning loud music and certain behaviour is so open to being interpreted by people in authority in a way that isn't in line with the sentiment of consideration for others and for this reason I don't think it's good to ban it. For instance if someone objects to holding hands or kissing in public or dancing should that be banned? What are the parameters other than opinion and offence. Anyone can be offended by anything."

Other comments include that people **need to be respectful of others** when playing music, that music should **not be allowed to be played in the evenings** and complaints of **loud music played on boats and beaches**.

Acting in an anti-social manner

There were 117 comments relating to the proposed ban on acting in an anti-social manner which has a detrimental impact on others within the highways and car parks PSPO. 34 respondents commented that they **supported the restrictions on anti-social behaviour** within the highways and car parks PSPO.

"These rules/guidelines can help stop anti-social behaviour from escalating, it is sad that this is necessary."

"Fully agree with banning any anti-social behaviour especially in this day and age of drug taking."

In addition, 16 respondents commented on **specific areas** that they felt suffered from anti-social behaviour. these included the Sandbanks peninsula and car park, Canford Cliffs and Lilliput, the Chines, Hengistbury Head car park, Highcliffe Beachfront and Steamer Point car parks, Whitecliff and Baiter Park.

Furthermore, 13 respondents commented that they felt that the local area and car parks were used by '**boy racers**' and needed to be tackled by a PSPO.

"Please enforce the bans on gatherings of modified vehicles, as owners of those tend to be the ones who think it amusing to rev their engines noisily and drive inconsiderately."

"Racing of cars at night on roads near the beach should also be banned."

11 respondents commented on other **behaviours that need to be included** within any restrictions, including the consumption of alcohol and drug-use, littering, swearing and a ban of sports within car parks.

"Can drug use be included as an anti-social behaviour, as the police are very uninterested in these calls and reports. This applies in all three categories. Whilst all love to use the beach, many do not want drugs used in those areas."

"The waste and rubbish, not to mention broken beer bottles, left behind after jubilant gatherings impacts all local residents."

"I would like to see littering included as many visitors who park in the car parks or along the Overcliff just open a car door and throw out all their rubbish prior to driving away."

"Ban on playing football in car parks, roller skating and skateboarding etc causing a hazard to drivers and to vehicles."

"People should be able to sleep in vehicles but swearing etc isn't ok."

7 respondents commented on the **negative impact of tourists** within the area and that they contributed to the majority of anti-social behaviour, while 3 respondents commented that they had been **personally confronted and intimidated** by anti-social behaviour. 2 respondents commented that the **student population** displayed anti-social behaviour that needed to be addressed.

"Litter, noise, aggressive group behaviour is an issue in the BCP area all year and worse with summer visitors."

"I experienced first-hand, aggressive behaviour."

"No more student accommodation in residential areas."

However, 18 respondents commented that there are already **existing laws** and powers that can be enforced that cover anti-social behaviour and therefore it is unnecessary to include it within the PSPO.

"Surely anti-social behaviour such as fighting, abusive threatening behaviour is already covered by law."

"We already have anti-social behaviour laws - just enforce them correctly and let's not be a controlled state!"

In addition, 34 respondents questioned **what would constitute anti-social behaviour** and that the descriptions were vague and subjective.

"But what is meant by 'anti-social manner which has a detrimental effect on others' this is too vague and up to interpretation by the 'others'."

"I think you would need to be more specific about what acting in an anti-social manner means and give some examples as this seems very broad."

Other comments and suggestions

There were 22 other comments and suggestions in response to this question that did not relate to the restricted behaviours proposed in the highways and car parks PSPO. 1 respondent commented that overnight (not just sleeping in vehicles) should be banned, while 4 respondents commented that **illegal parking** on (double) yellow lines, verges, and overstaying paid for times on parking tickets needs to be monitored and fines given to offenders.

"Ban on overnight parking as well."

"I support any action taken against people who park cars on paths, grass verges and double yellow lines and roundabouts."

2 respondents commented on the need to keep **dogs** on leads or completely ban them from these areas.

"There are so many people now that dogs should be banned and they are far from universally popular anyway."

6 respondents commented on the risks that **barbeques** pose in these areas and that there is a need to include them within this PSPO also.

"We have to protect our open spaces, so totally agree about the BBQ and open fires."

3 respondents commented on the need to control the music from **council run events** and premises.

"Other than occasional organised events like the polo one on Sandbanks."

"I whole heartedly support the inclusion of 'no loud music or singing' in the proposals but officers may wish to check on the impact of this on BCP sponsored events such as Beach Polo, Beach Festival, Air show etc. The council has included an exception with written permission but may still find themselves 'in-breach' and formal objections received from adjacent beach hut owners. 'It's OK for us to be annoying but not you' is not a good strap-line for the council."

2 respondents commented that the opening hours of **public toilets** need to be extended.

"Public toilets could remain open for longer hours and more could be provided at different locations. I should think the latter would be welcomed in the daytime in any case in the summer months."

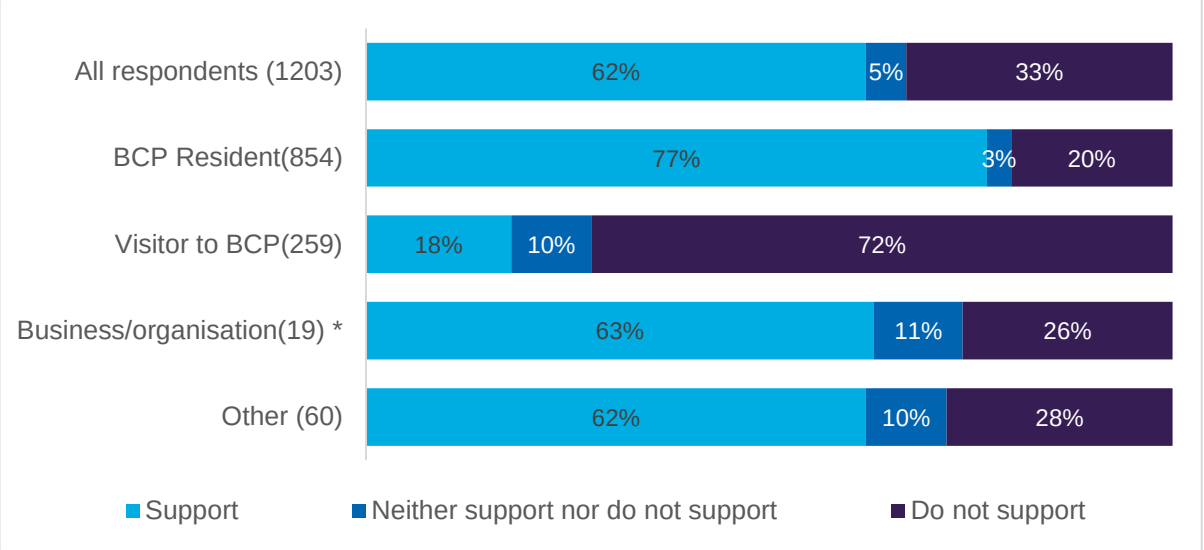
4 respondents commented on **camping** in the proposed locations. Comments conflicted in terms of support, with one respondent not having an issue with it, while others felt that it was abused and caused vermin problems due to litter.

"Again, I see no issue with overnight camping, except for the toilet issue as explained previously (educate and provide facilities that promote tourism rather than excluding people)."

"Camping on beaches especially Friars Cliff area is being abused by people just taking a couple of fishing rods! There are few genuine who would nay have a shelter at best but not a tent, I have personally witnessed many in tents with a rod outside!"

3.4 Coastal Area PSPO

Figure 19 - To what extent do you support the principle of a PSPO being implemented in our coastal areas? By respondent type



Base: As labelled

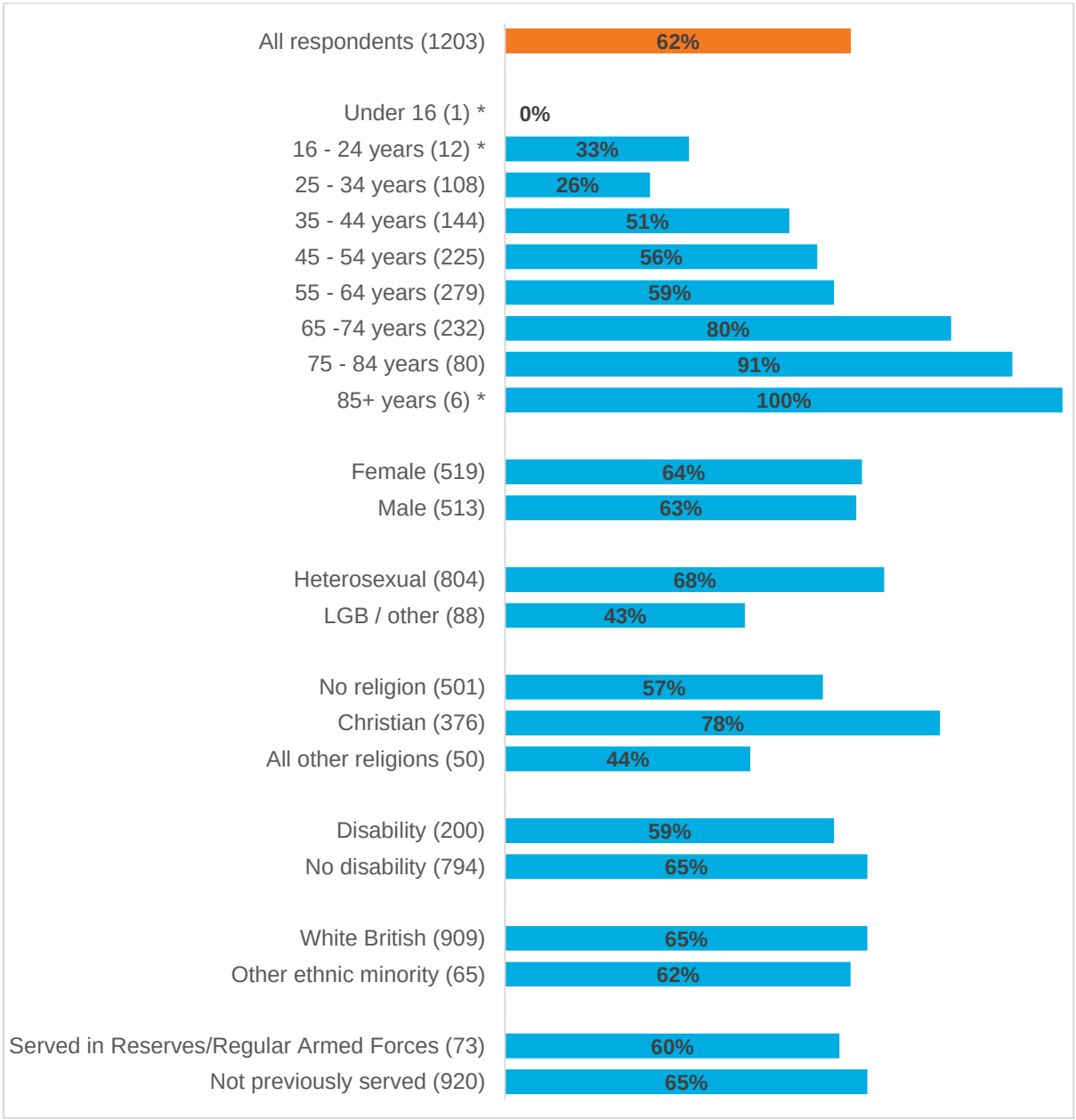
Just over three-fifths (62%) of all respondents support the principle of a PSPO introduction to coastal areas in BCP, whilst a third (33%) do not support this.

Over three-quarters (77%) of BCP residents who responded support a coastal areas PSPO, significantly higher support than those who identified as a visitor to BCP (18%) and 'other' respondents (62%).

Just under three-quarters (72%) of visitors to BCP do not support a coastal areas PSPO, significantly higher non-support compared to all other respondent groups: respondents who are BCP residents (20%), 'other' respondents (28%) and businesses/organisations (26%)

3.4.1.1 Differences by protected characteristics

Figure 20 – Proportion of support for a coastal areas PSPO by personal characteristic group



Base: As labelled

- Support for a coastal areas PSPO is highest among 85+ year olds (100%) and for 75-84 year olds (91%) and 65-74 year olds (80%) it is significantly higher than all age groups from 16 to 64 years old
- 25-34 year olds are significantly more likely to not support a coastal areas PSPO (73%) compared to all older age groups (i.e. 35+)

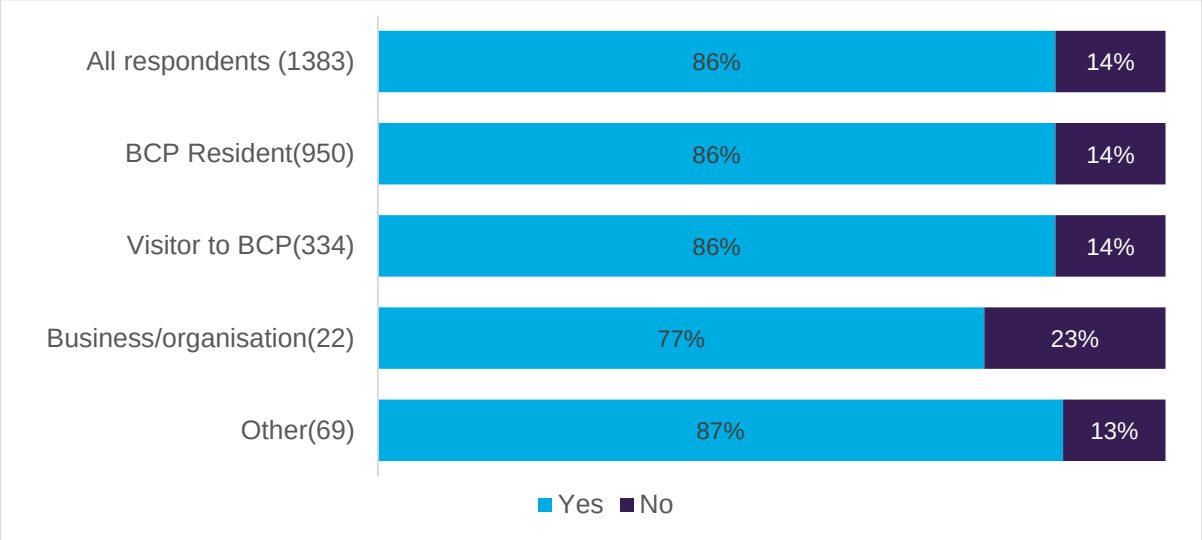
- Respondents who are heterosexual are significantly more likely to support a PSPO in coastal areas (68%) compared to those who are lesbian, gay, bisexual or other sexual orientation (43%)
- Christians are significantly more likely to support a coastal areas PSPO (78%) compared to those with no religion (57%) and those from any other religion (44%)
- Those from any other religion are significantly more likely to not support a PSPO in coastal areas (50%) compared to those who are Christian (17%)

3.4.2 Loud music, anti-social behaviour, overnight camping and open fires

Respondents were then asked four questions regarding finer details of example behaviours may be banned in a Coastal Areas PSPO and whether they would support a ban of them being included.

Playing loud music which has a detrimental impact on others

Figure 21 – Support/non-support for a ban on playing loud music which has a detrimental impact on others by respondent type



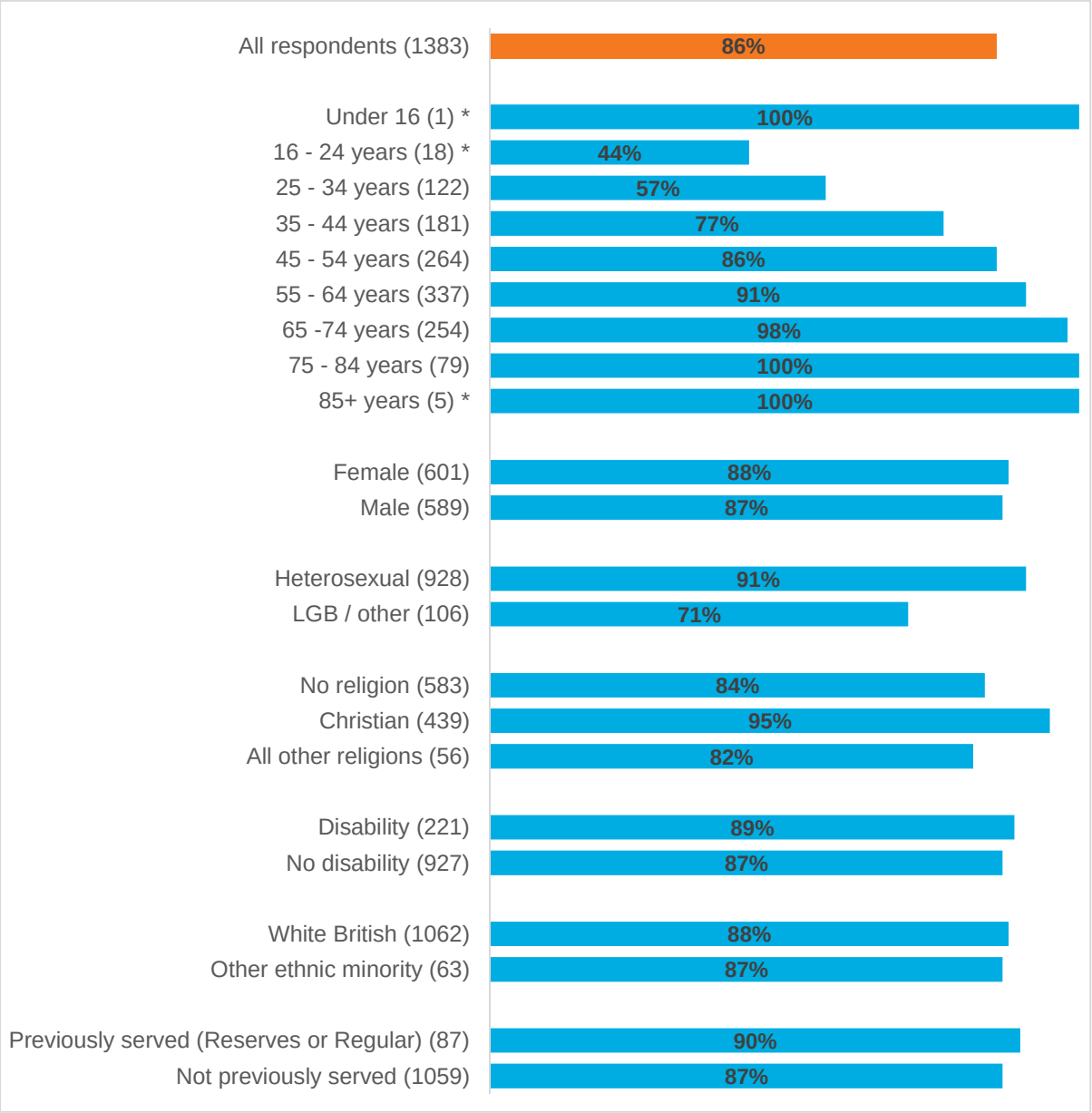
Base: As labelled

Over four-fifths of all respondents (86%) support a ban on playing loud music in coastal areas which has a detrimental impact on others, with 14% not supporting this ban.

By respondent type, support is lowest from businesses/organisations (77%) and highest from other respondents (87%). The same proportion of BCP residents and visitors to BCP support this ban (86% each). There are no significant differences for levels of support across respondent types.

3.4.2.1 Differences by protected characteristics

Figure 22 – Proportion of support for a ban on playing loud music which has a detrimental impact on others by personal characteristic group



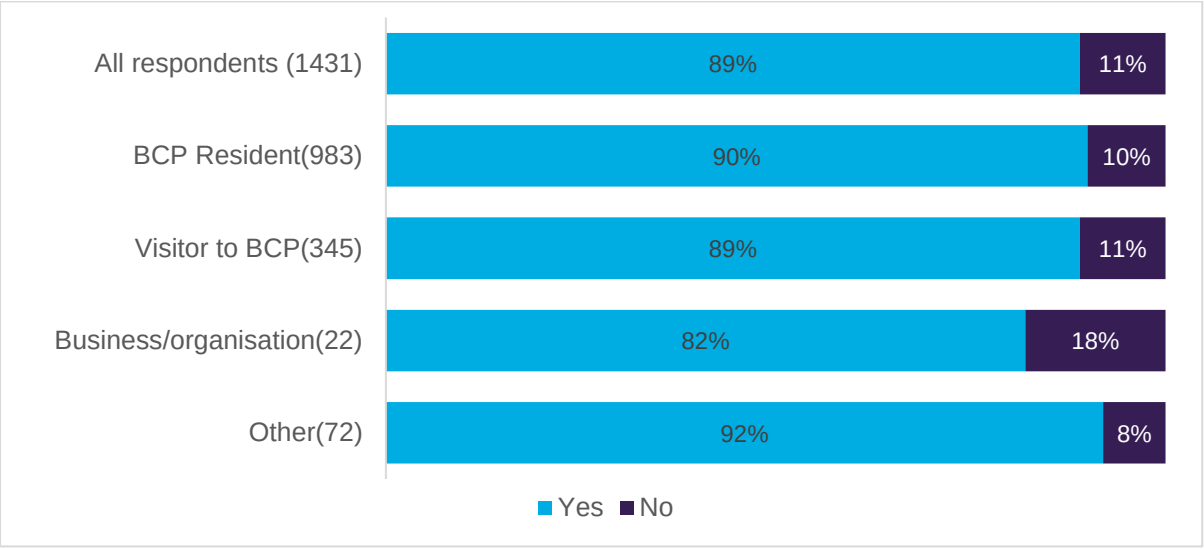
Base: As labelled

- Support for a ban on playing loud music which has a detrimental impact on others is highest among 85+ year olds (100%) and 75-84 year olds (100%)
- Support for this ban is significantly higher for 75-84 year olds (100%) and 65-74 year olds (98%) than all age groups from 16 to 64 years old
- 16-24 year olds are significantly more likely to not support this ban (56%) alongside 25-34 year olds (43%) compared to all age groups between 35 and 84

- Heterosexual respondents are significantly more likely to support this suggested ban (91%) compared to those who are lesbian, gay, bisexual or other sexual orientation (71%)
- Christians are significantly more likely to support a ban on playing loud music (95%) compared to those with no religion (84%) and those from any other religion (82%)

Acting in an anti-social manner which has a detrimental impact on others

Figure 23 – Support/non-support for a ban on acting in an anti-social manner which has a detrimental impact on others by respondent type



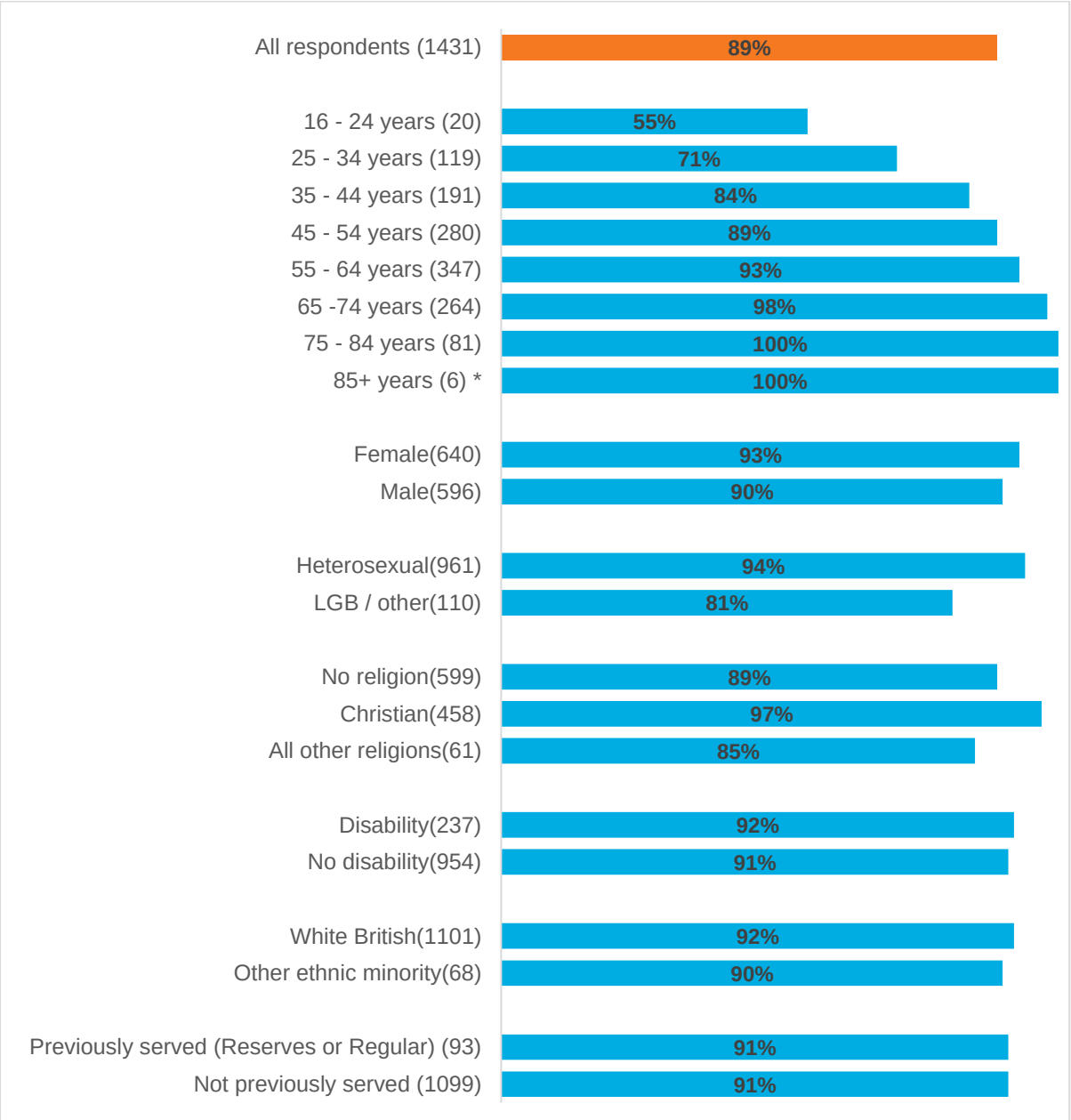
Base: As labelled

89% of all respondents support a ban on acting in an anti-social manner which has a detrimental impact on others across coastal areas in BCP, with just over one in ten (11%) not supporting this suggested ban.

Support for an anti-social behaviour ban is high across all respondent types, particularly other respondents (92%) and BCP residents (90%). Businesses/organisations show the least support of all respondent types at 82%. There are no significant differences for levels of support for this ban across respondent types.

3.4.2.2 Differences by protected characteristics

Figure 24 – Proportion of support for a ban on acting in an anti-social manner which has a detrimental impact on others by personal characteristic group



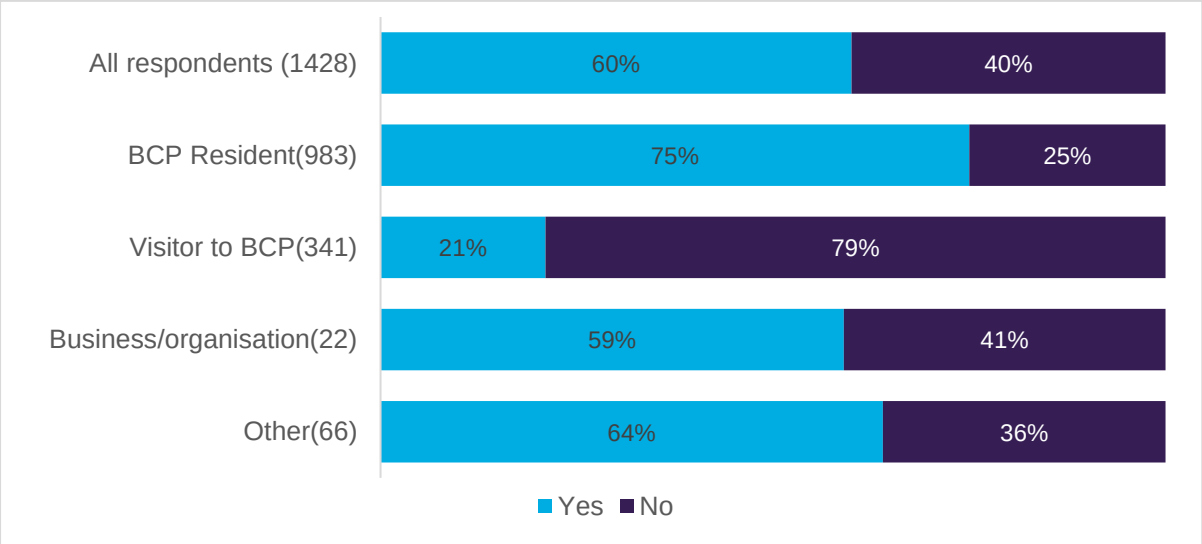
Base: As labelled

- Support for a ban on acting in an anti-social manner is significantly higher from those aged 75-84 (100%) and aged 65-74 (98%) than all age groups from 16 to 64
- 16-24 year olds are significantly more likely to not support this ban (45%) along with 25-34 year olds (29%) compared to those in all age groups between 35 and 84 years old

- Respondents who are heterosexual are significantly more likely to support a ban on acting in an anti-social manner (94%) compared to those who are lesbian, gay, bisexual or other sexual orientation (81%)
- Christians are significantly more likely to support the suggested ban (97%) compared to those with no religion (89%) and those from any other religion (85%)

Overnight camping or sleeping with or without a tent or gazebo in the designated areas without the permission of the landowner

Figure 25 – Support/non-support for a ban on overnight camping or sleeping with or without a tent or gazebo in the designated areas without the permission of the landowner by respondent type



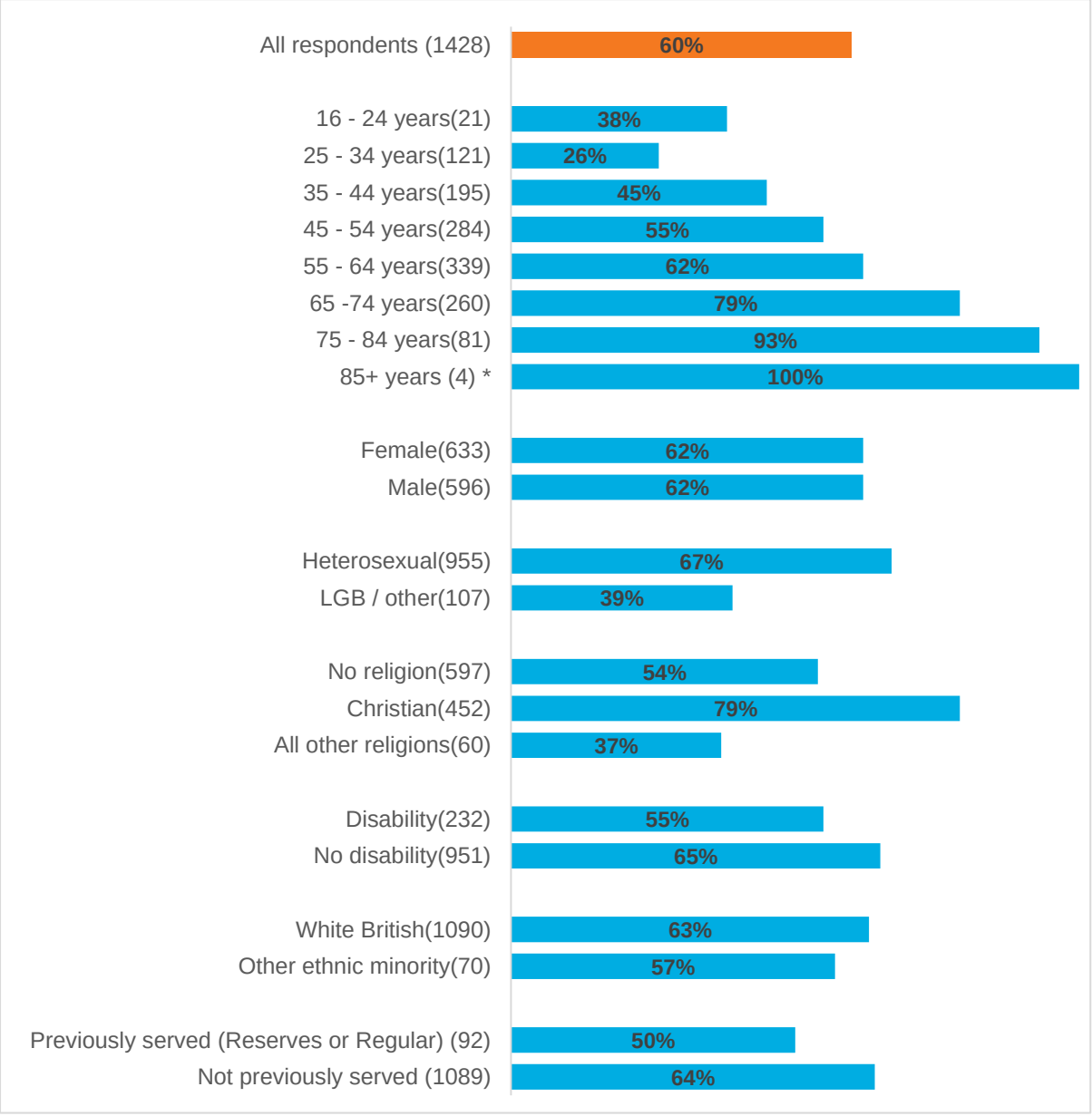
Base: As labelled

Three-fifths (60%) of all respondents support a ban on overnight camping/sleeping in designated areas without the permission of the landowner.

By respondent type, three-quarters (75%) of BCP residents support this ban, significantly higher than other respondents (64%) and visitors to BCP (21%). Support is lowest among visitors to BCP with a fifth (21%) in support but more than three-quarters (79%) opposing the suggestion.

3.4.2.3 Differences by protected characteristics

Figure 26 – Proportion of support for a ban on overnight camping or sleeping with or without a tent or gazebo in the designated areas without the permission of the landowner by personal characteristic group



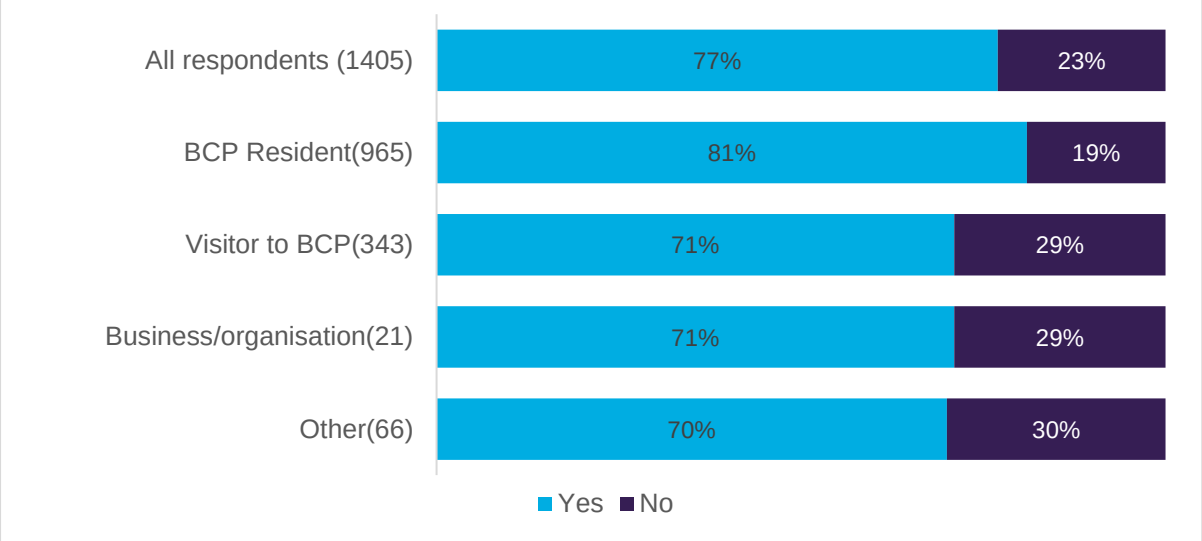
Base: As labelled

- Support for a ban on overnight camping/sleeping in designated areas without landowner's permission is highest for those aged 85+ (100%), 75-84 (93%) and 65-74 (79%)
- Support for this ban is significantly higher from those aged 75-84 (93%) and aged 65-74 (79%) than all age groups from 16 to 64

- 25-34 year olds are significantly more likely to not support a ban on overnight camping/sleeping in designated areas without landowner's permission (74%) along with 35-44 year olds (55%) compared to those in all age groups between 45 and 84 years old
- Respondents who are heterosexual are significantly more likely to support this proposed ban (67%) compared to those who are lesbian, gay, bisexual or other sexual orientation (39%)
- Christians are significantly more likely to support the proposed ban on overnight sleeping/camping (79%) compared to those with no religion (54%) and those from any other religion (37%)
- Those without a disability are significantly more likely to support the proposed ban (65%) compared to those with a disability (55%)
- Those who have not previously served in the Reserves or Regular Armed Forces are significantly more likely to support a ban on overnight camping/sleeping in designated areas without landowner's permission (64%) than those who have previously served (50%)

Lighting any open fires

Figure 27 – Support/non-support for a ban on lighting any open fires by respondent type



Base: As labelled

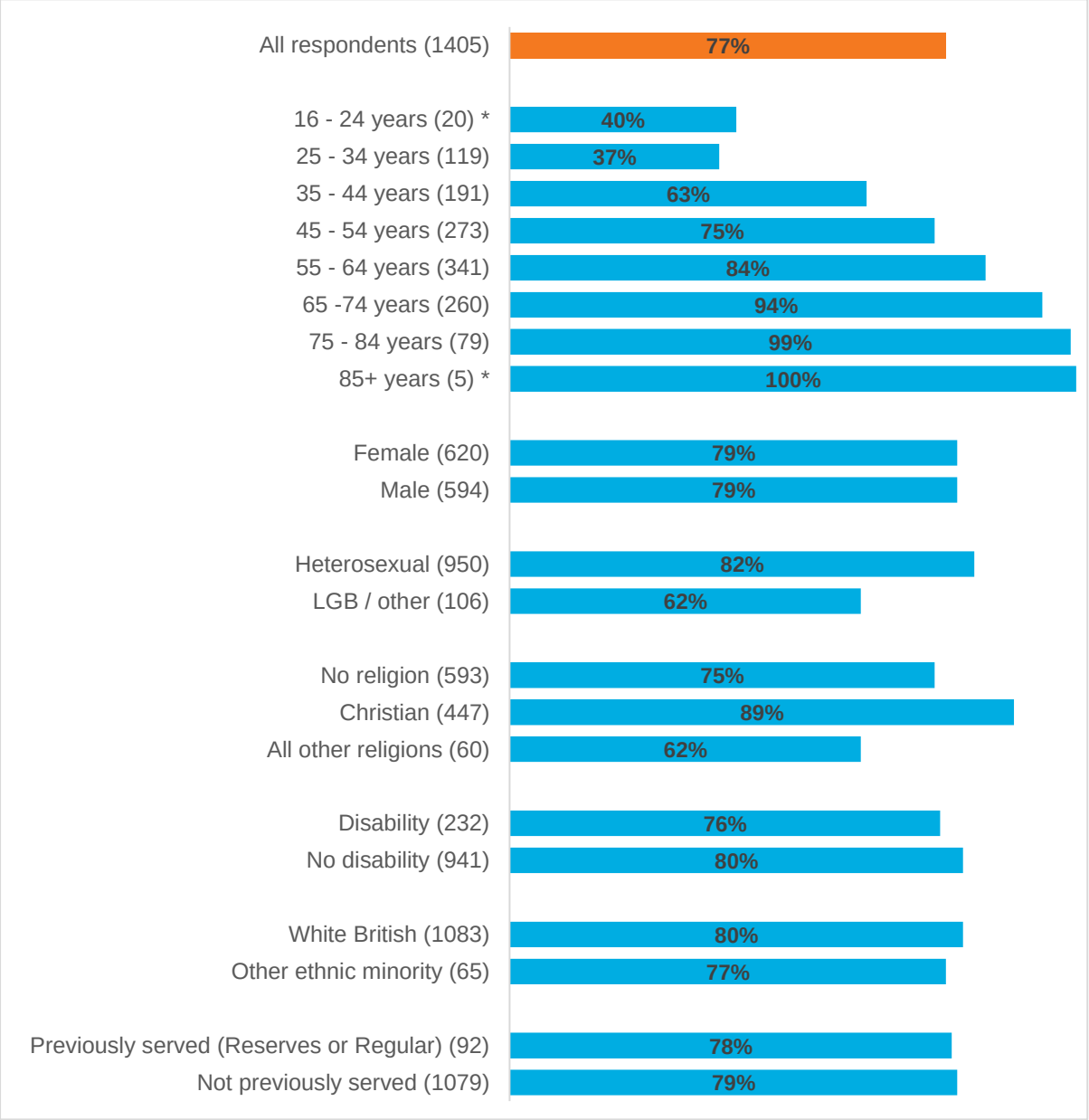
Over three-quarters (77%) of all respondents support a ban on lighting any open fires as part of a Coastal Areas PSPO.

Four-fifths of BCP residents (81%) support this ban, significantly higher than support from visitors to BCP (71%) and other respondents (70%). Over a quarter of respondents who are visitors to BCP (29%), businesses/organisations (29%) and

other respondents (30%) do not support a ban on lighting any open fires in coastal areas.

3.4.2.4 Differences by protected characteristics

Figure 28 – Proportion of support for a ban on lighting any open fires by personal characteristic group



Base: As labelled

- Support for a ban on lighting open fires as part of a coastal areas PSPO is highest among 85+ year olds (100%) and 75-84 year olds (99%)

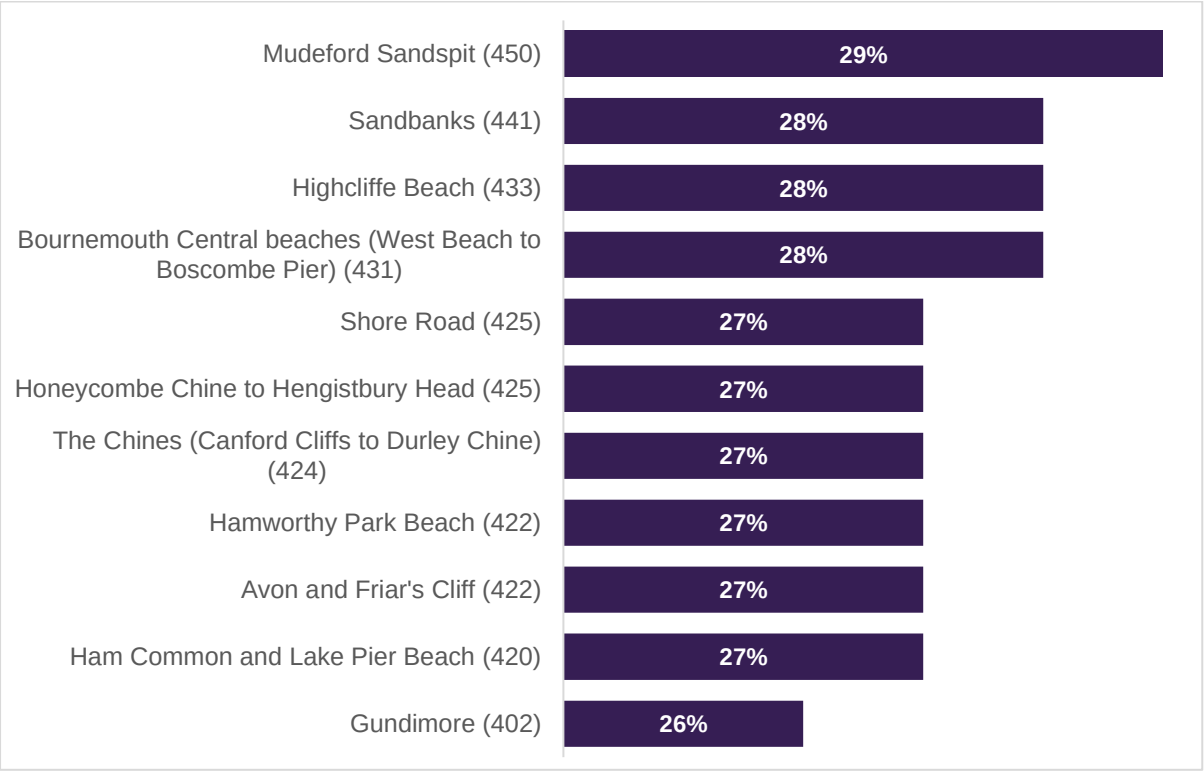
- Support for this ban is significantly higher for 75-84 year olds (99%), 65-74 year olds (94%) and 55-64 year olds (84%) than all age groups from 16 to 64 years old
- Opposition to a ban on lighting open fires is highest among age groups 25-34 (63%), 16-24 (60%) and 35-44 (37%)
- Those who are aged 25-34 are significantly more likely to not support a ban on lighting open fires in coastal areas (63%) compared to all older age groups
- Support for lighting open fires is significantly higher for those who are heterosexual (82%) compared to those who are lesbian, gay, bisexual or other (62%)
- Christians are significantly more likely to support the proposed ban (89%) compared to those with no religion (75%) and those from any other religion (62%)

3.4.3 Included areas for Coastal Areas PSPO

In the consultation document and Appendix, the coastal areas that are suggested for inclusion in a Coastal Areas PSPO are detailed. From this, respondents to the survey were asked whether there are any of these that they feel should not be included in a PSPO.

Respondents were told to leave the question blank (i.e. not select any options) if they think all of these areas should be included in the PSPO. Because of this, percentages have been calculated as a proportion of all respondents although it is not possible to determine those who skipped the question/did not answer and those who left the question blank as part of the question.

Figure 29 – Areas that should not be included in a Coastal Areas PSPO



Base: 1564

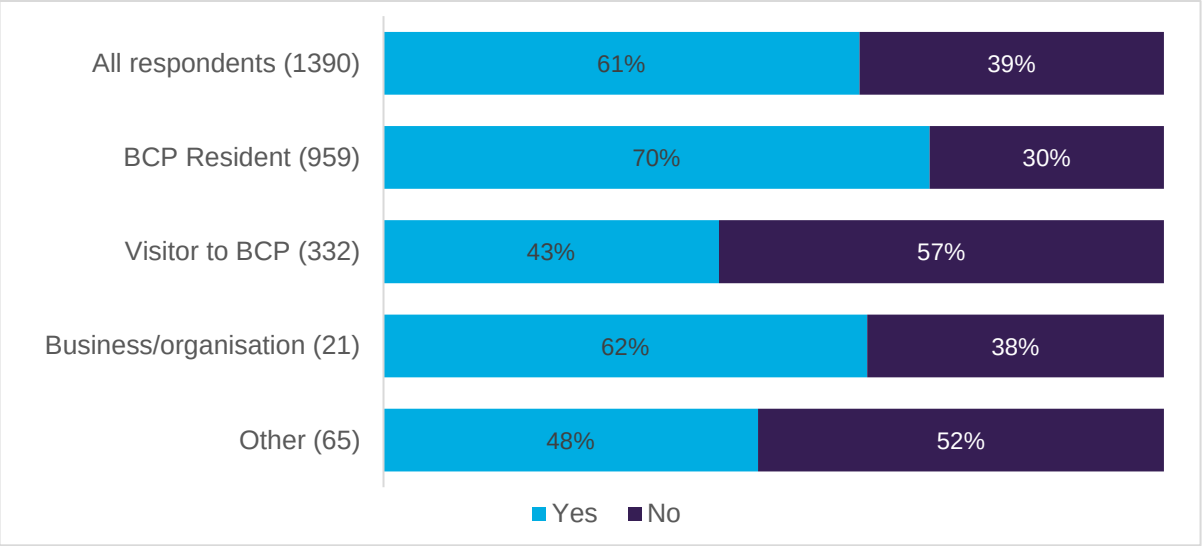
The three areas that were chosen by the most respondents and therefore the most people feel should not be included in a Coastal Areas PSPO are Mudeford Sandspit (29%), Sandbanks (28%) and Highcliffe Beach (28%).

For BCP residents, the most popular areas chosen are Mudeford Sandspit (19%), Sandbanks (19%) and Bournemouth Central beaches (19%).

For visitors to BCP, the most common selections are Highcliffe Beach (52%) and Ham Common and Lake Pier Beach (51%).

3.4.4 Barbeques

Do you think a ban on lighting barbeques between 7am-6pm should be included within the coastal area PSPO?



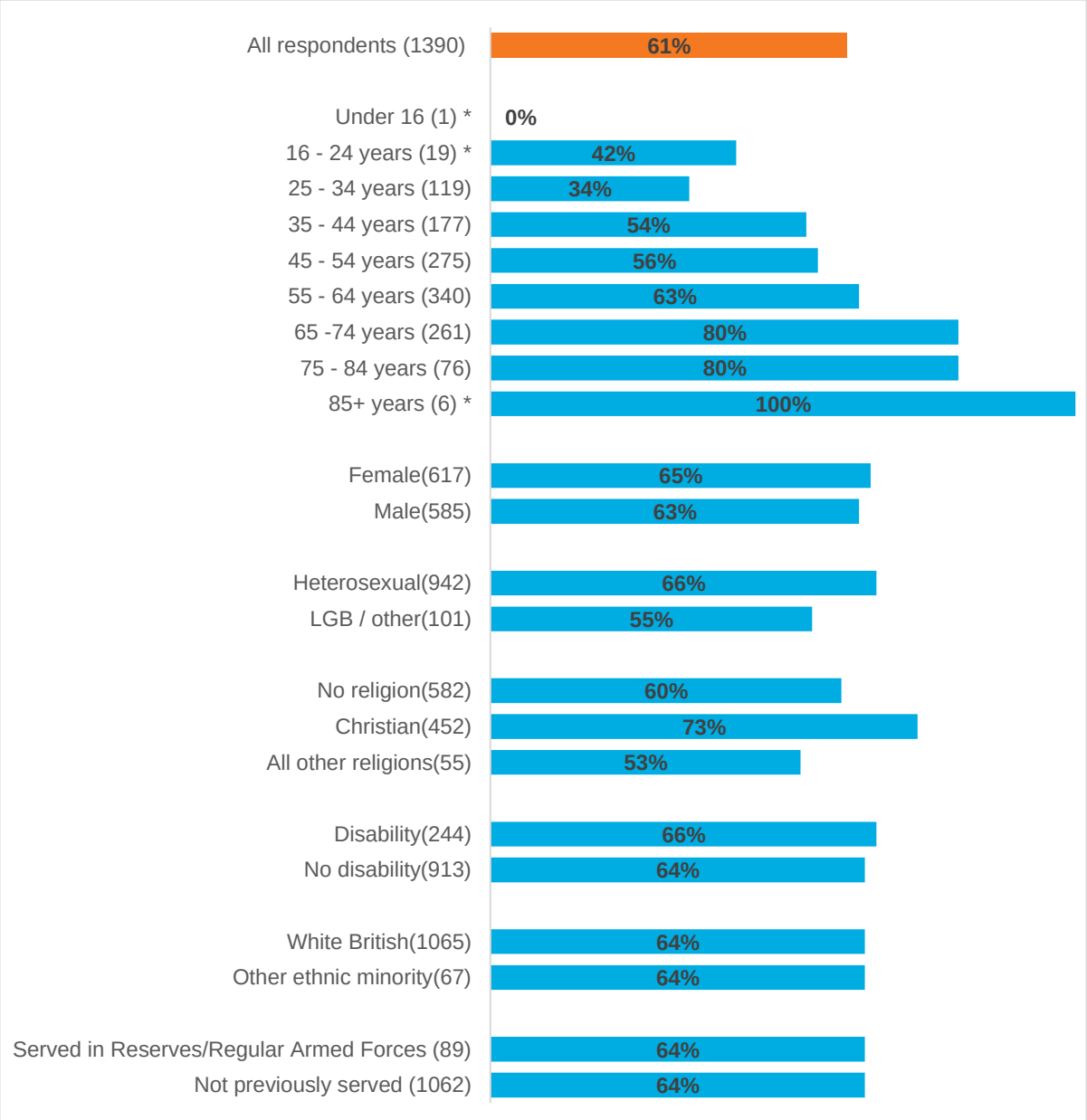
Across all respondents, 6 in 10 (61%) think a ban on lighting barbeques between 7am and 6pm should be included, compared to over a third (39%) who do not think this ban should be included in the coastal area PSPO.

Looking at respondent types, BCP residents support this proposed barbeque ban the most (70%) followed by business/organisations (62%), whilst under half of those in the 'other' category (48%) and visitors to BCP (43%) agree with the proposed ban. Respondents who are residents in the BCP area are significantly more likely to support the proposed timed barbeque ban (70%) compared to visitors to BCP (43%) and 'other' respondents (48%)

Over half of respondents who are visitors to BCP (57%) and who are 'other' (52%) do not think a 7am-6pm ban on lighting barbeques should be included.

3.4.4.1 Differences by protected characteristics

Figure 30 – Proportion of support for a ban on lighting barbeques between 7am-6pm by personal characteristic group

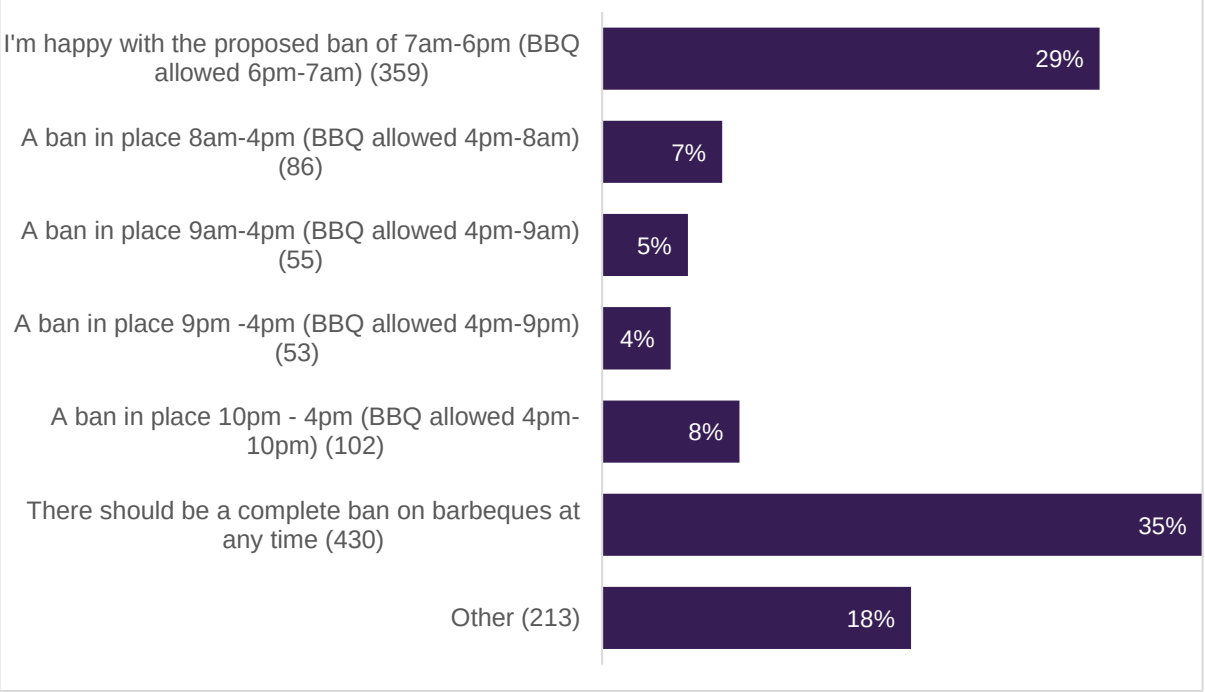


Base: As labelled

- There is significantly more support for a barbeque ban between 7am and 6pm from those aged 65-74 (80%) and 75-84 (80%) compared to those in all age groups from 16 to 64 years old
- Those aged 25-34 are significantly more likely to oppose the suggested barbeque ban between 7am and 6pm (66%) compared to all age groups older than them (i.e. age 35+)

- Respondents who are heterosexual are significantly more likely to support a timed barbeque ban between 7am and 6pm (66%) than individuals who are lesbian, gay, bisexual or another sexual orientation (55%)
- Respondents who are lesbian, gay, bisexual or another sexual orientation are significantly more likely to oppose a timed barbeque ban between 7am and 6pm (45%) than individuals who are heterosexual (34%)
- Respondents who are Christian are significantly more likely to support the suggested timed ban on barbeques (73%) compared to those with another religious belief (53%) and those with no religion (60%)
- Respondents who are from another religion (non-Christian) are significantly more likely to oppose the suggested timed ban on barbeques (47%) as are those with no religion (40%) compared to those who are Christian (27%)

Figure 31 – Do you think the ban should be in place at a different time of day?



Base: 1217

Across all respondents, over a third (35%) feel there should be a complete ban on barbeques at any time, whilst over a quarter (29%) are happy with the proposed ban of 7am-6pm. Less than one in ten would like to see a ban in place at any of the other suggested timeframes and nearly a fifth (18%) chose ‘other’.

For BCP residents, 38% feel there should be a complete ban on barbeques at any time, significantly higher than visitors to BCP who feel there should be a complete ban (29%).

32% of BCP residents are happy with the proposed ban of 7am-6pm, significantly higher than visitors to BCP (24%) and other respondents (15%).

Where respondents chose ‘other’, they were asked to share their alternative time suggestion in an open text box below the question.

225 comments

These respondents provided a variety of additional comments relating to alternative times to ban BBQs, as well other comments that did not directly relate to the time restrictions of the potential ban including implementing no ban at all, providing conditions for banning/not banning BBQs and applying restrictions in specific locations. The key themes to emerge are in the table below and the top two themes (apart from ‘no ban at all’ as this is self-explanatory) have been broken down further into sub-codes to make them easier to interpret.

Theme	No. of responses
No ban at all	83
BBQs allowed under certain conditions	58
Ban under certain conditions	52
Complete ban	13
No comment	9
Educate people	2
Don't know/Not sure	2
Query	2
Survey criticism	2
Other	1

BBQs allowed under certain conditions

58 respondents said BBQs should be allowed under certain conditions. The key sub-codes to emerge from this theme are ‘**Conditions’** (34 comments) and **‘Evening/Night’** (23 comments).

Conditions

34 respondents said BBQs should be allowed under certain conditions including using certain types of BBQs in specific locations such as beach huts and at certain times. Below is a selection of these comments:

Gas barbecues *are fine*

Only the ***approved Council BBQs*** *can be used*

Disposable bbqs should be banned completely. ***Controlled bbqs used by beach huts in close proximity should be permitted*** *in daylight hours*

Does not cover hut owners who use BBQs *as their main source of cooking*

*Could the council look to **introduce enclosed BBQ facilities at certain coastal locations** that could be hired and monitored[?]*

*BBQ's must be **off the ground & suitable disposal available** in convenient locations*

*I don't think you can tell people they can't enjoy a BBQ. **There needs to be beach wardens** to deal with people not disposing of them safely*

***The word barbecue covers too wide a category.** I would not allow a barbecue on the ground but would allow a gas barbecue at any time.*

*I do not see a problem with BBQs **if used responsibly***

Evening/Night

23 respondents said BBQs should be allowed at times during the evening/night. Below is a selection of these comments:

*No overnight BBQs **but ok with 6PM to [1AM]***

***Allowed 6pm to 10pm only on the beach** - portable BBQs only not disposable [ones]*

***Allowed 5pm - 1am** (allows early cooking for families and later night BBQs, but not right through the night)*

***BBQ allowed from 6pm to 10pm**. Allows families to enjoy BBQ but deters groups who will stay late into night.*

*The time allowed to barbeque **should only be 6pm until midnight, or 11pm**. Who will monitor and put out any subsequent fires after 6pm?*

*Surely just ban from 10pm night window **to use between lunchtime and 10pm***

Ban under certain conditions

52 respondents said BBQs should be banned under certain conditions. The key sub-codes to emerge from this theme are **'Evening/Night'** (28 comments) and **'Morning'** (27 comments).

Evening/Night

28 respondents said BBQs should be banned at times during the evening/night. Below is a selection of these comments:

Surely the issue is BBQ's in the evening/night. *Otherwise, the whole PSPO doesn't make sense* ***10pm - 8am***

I suggest a ban from 9pm to 9am this will minimise noise disruption & antisocial behaviour in the evenings*. BBQ allowed 9am - 9pm - simple rule easy to publicise*

I would suggest even later*. The beaches were packed until 8pm last year, with many kids around*

End at 5pm *due to families with younger children*

I think evening BBQs *just as dangerous*

At least till 7pm *as people stay later in the light evenings*

Morning

27 respondents said BBQs should be banned at times during the evening/night. Below is a selection of these comments:

We would prefer to see a ***ban until 7pm***

10am-4pm ban *- hottest point of day, dangerous*

I don't think BBQ should be allowed ***after midnight***

Ban between ***00.01am and 11am***

Ban from ***10pm to 12 noon***

Complete ban

13 respondents said there should be a complete ban on BBQs should be allowed under certain conditions. Below is a selection of these comments:

Why the need to barbecue[?] A picnic should suffice. Light your barbecue at home in your garden. ***Not in public places***

No barbeques at all *polluting carcinogenic and very offensive to vegetarians*

High fire spread risk - ***complete ban***

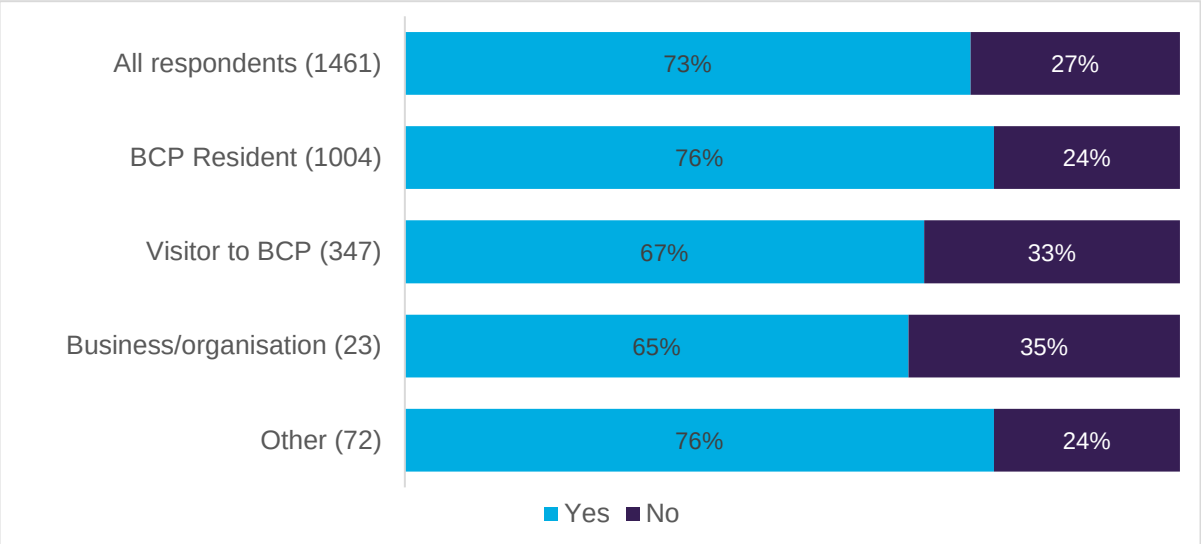
BBQs are dangerous and bad for the environment and even more so in a beach setting - ***ban them***

Complete ban on open spaces *especially heathland*

*A **complete ban in dry conditions***

Full details of other themes to emerge from these responses and/or a full list of all the comments is available on request from the Insight Team.

Figure 32 - Do you think BCP Council should include a ban on using disposable BBQs at any time within its Coastal area PSPO?



Base: As labelled

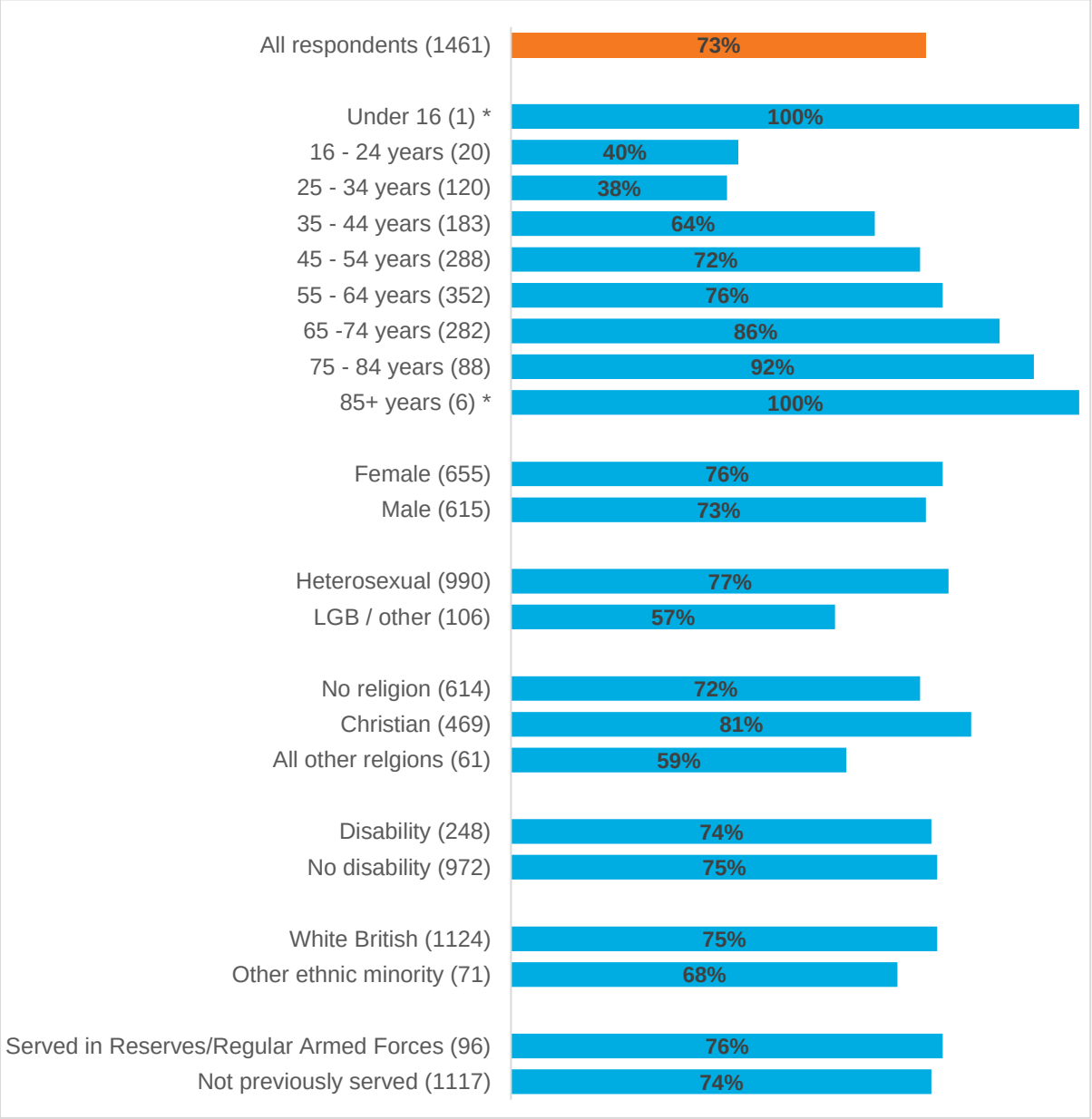
Over two-thirds of all respondents (73%) agree that BCP Council should ban disposable barbeque usage at any time within the Coastal area PSPO.

Looking at respondent type, the highest proportion of support for a disposable barbeque ban is from BCP residents (76%) and other respondents (76%). Around two-thirds of visitors to BCP (67%) and business/organisations (65%) support this ban. The highest level of non-support for this is from businesses/organisations (35%) followed by visitors to BCP (33%).

BCP residents are significantly more likely to support a ban on disposable barbeques at any time compared to visitors to BCP.

3.4.4.2 Differences by protected characteristics

Figure 33 – Proportion of support for a ban on using disposable BBQs at any time by personal characteristic group



- Respondents who are BCP residents are significantly more likely to support a disposable barbeque ban (76%) compared to visitors to BCP (67%)
- There is significantly more support for a disposable barbeque ban from those aged 65-74 (86%) and 75-84 (92%) compared to those in all age groups ranging from 16 to 64 years old
- Those aged 16-24 years old are significantly more likely to not support a disposable barbeque ban (60%) compared to respondents in age groups from 45 and older

- Those aged 25-34 are significantly more likely to not support a disposable barbeque ban (62%) compared to those in all older age groups (aged 35 and above)
- Respondents who are heterosexual are significantly more likely to support a disposable barbeque ban (77%) than those who are lesbian/gay/bisexual or another sexual orientation (57%)
- Christian respondents are significantly more likely to support a disposable barbeque ban (81%) than those who are from all other religious groups (59%) and those with no religion (72%)

3.4.5 Coastal areas PSPO – Other comments

Respondents were asked to provide any comments they wished to make about the coastal area PSPO. 498 respondents provided feedback to this question which has been coded into themes to make them easier to interpret. Please note that where respondents have provided comments that relate to more than one theme, their feedback has been categorised into multiple categories.

Responses were coded in to six key themes relating to 'comments about the overall PSPO', 'the playing of loud music', 'acting in an anti-social manner', 'overnight camping or sleeping with or without a tent', 'open fires and/or barbeques', and 'other comments and suggestions'.

Theme	Number of comments
Comments about the overall PSPO	78
The playing of loud music	8
Acting in an anti-social manner	14
Overnight camping or sleeping with or without a tent	31
Open fires and/or barbeques	575
Other comments and suggestions	29

Comments about the overall PSPO

There were 78 comments about the coastal area PSPO overall.

8 respondents commented that they **support the PSPO in general**, the council should implement it and that it is wanted by locals. In addition, 11 respondents suggested **other areas that should be included** within the PSPO, including Kite Beach, Evening Hill, inner Poole harbour, Sandbanks to Poole town centre, Mudeford Spit, the woodland area of Steamer Point and the grounds of Highcliffe Castle.

"Should be made as soon as possible ready for this summer."

"This is something locals have actually called for and wanted so yes."

However, 15 respondents commented that they **did not support the proposed coastal areas PSPO**, while 5 respondents commented that the **majority should not be punished due to the inconsiderate behaviour of a minority**.

"Let people be free, no more restrictions."

"The council is overreaching without cause."

"Over blown reaction to issues that don't affect many people and will harm younger residents simply enjoying themselves out of the way of everybody on the beach."

27 respondents **questioned how the PSPO would be enforced**, while 8 respondents commented that they felt that there are **existing laws and legislations** that can be used to address any behaviour which has a detrimental impact on others.

"Additional rules are pointless without enforcement."

"This needs monitoring and enforcing - rest assured there are people who will try to ignore any rules!"

"Rules/laws already exist to deal with these situations."

"Enough legislation in place to deal with these issues."

Other comments include that 3 the **PSPO would stop people from visiting the area** and that it would merely **move problems elsewhere** rather than fully address them.

The playing of loud music

There were 8 comments relating to the proposed ban on playing loud music which has a detrimental impact on others.

2 respondents commented that playing loud music is **not fair on others** who are in the area, while 1 respondent commented that **sound travels** and therefore loud music should be banned.

"Sound travels and last year groups congregated Branksome Chine onwards. Their music was not booming but it still could be clearly heard around the group. Or they would sit on the walls in front of beach huts. Not fair on people who have paid to hire or buy a beach hut."

1 respondent commented on the **volume of music from larger, council run events**, while 2 respondents suggested that there should be **designated areas** where loud music is allowed, such as the volleyball courts in Boscombe.

"If you are going to ban loud music in some of the coastal areas identified, e.g. Sandbanks, what impact will that have on events? Will events like the sand polo/music event still be able to go ahead?"

"Speakers should be allowed to be used in the volleyball courts by Boscombe beach."

Other comments include that a ban on loud music should apply in the **evenings,** that there is **no issue** with music being played in coastal areas

Acting in an anti-social manner

There were 14 comments relating to the proposed ban on acting in an anti-social manner which has a detrimental impact on others.

4 respondents commented on coastal areas they felt were impacted by anti-social behaviour, including Friars Cliff and Hengistbury Head.

"The refuge hut above Friars Cliff is a magnet for anti-social behaviour by groups of youngsters and is regularly vandalised during the summer/periods of fine weather."

"Hengistbury Head suffers worse than anywhere! I don't mean where the beach huts are, I mean the stretch between Solent Meads and the Coastguard lookout! Being slightly off the beaten track with lots of grassy sand dunes leading to the beach, it is easy to be hidden! I fish along here all year round, but once the summer arrives it's a free for all! Constant anti-social behaviour. Camping, barbecues, mini raves and smashed bottles!"

2 respondents commented that **large groups** result in anti-social behaviour, while 2 respondents commented that often it is down to **locals and residents to police inappropriate behaviour**.

"Large coached in groups are becoming more common at Sandbanks. These coaches turn into a large group of 50 plus, with BBQs, gazebos and loud music. I thought there was a 12 max limit now! These folks without realising it are probably breaking every rule you currently have… What then happens is the local area is actually policed by residents like me and other people who can't believe what they're seeing. This puts us in danger!"

3 respondents commented on the need to tackle **drug and alcohol use**, 1 respondent commented that the issue of **littering** needs to be addressed, while 1 respondent commented on **graffiti** in coastal areas.

"All rules are not enforced now and the area between the piers is a no go area at night unless you are a drug taker or want to race your car."

"What is the plan to improve the litter (and littering)?"

"Also alcohol should be banned from certain public spaces."

"Graffiti and damage to beach huts has been such a particular issue that I believe that the PSPO should list it as a behaviour set that has contributed to the introduction of PSPO's, and the number of incidents of damage to beach huts should be included in the 'evidence' section."

1 respondent commented that the term anti-social behaviour is **too vague**.

"Anti-social behaviour is too vague of a term and could therefore be used to prevent social activities and protests on our beaches. ASB should therefore be defined and that definition consulted on before going forward, as what some people may consider anti-social, may be otherwise considered acceptable."

Overnight camping or sleeping with or without a tent

There were 31 comments relating to the proposed ban on overnight camping or sleeping with or without a tent or gazebo in the designated areas without the permission of the landowner.

7 respondents commented that **those who sleep in vehicles are responsible** and are respectful to the areas that they stay. 5 respondents commented that this should not be banned in coastal areas because it **generates income for local businesses**.

"I really feel that campervan owners are being discriminated against when it is obvious that the vast majority of them are respectful and not causing anti-social behaviour."

"Like many, we are visitors with spending power that, on a daily basis, extends to supporting local shops, restaurants and leisure activities - a not-insignificant sum. The council is well within its rights to place restrictions and, in terms of noise, anti-social behaviour and anything which damages the land, such as disposable barbecues or open fires, I would argue those restrictions are often necessary.

However, if you actively discourage all campervan or mobile home owners they, or certainly we, would vote with our feet and avoid the area entirely - day and night. We are mobile and have other options and the only people to lose out would be local business owners at a time when they need most support."

6 respondents commented that they did not agree with the proposed ban due to the impact it would have on the **homeless and those who sleep in their vehicles for different reasons**.

"The council should liaise with local community partners to address the causes of homelessness; not introduce PSPOs which impose criminal sanctions and move the problem to neighbouring areas."

"Banning overnight camping will affect homeless people."

5 respondents suggested that the council should **provide Aires and designated areas**, including on beaches, where people could stay responsibly for a fee.

"You guys should make a designated tenting place on the beach, provide bins, porta-loos, keep it manned by staff as not all families can afford hotels, and camping with kids is so exciting for them, as long as all tents are put away by a certain time."

"I am just amazed that in these economic times you are even contemplating a ban at all, better by far to introduce parking facilities that allows self-contained motorhomes to overnight. You are no doubt cutting back on services while carparks sit empty overnight instead of potentially raising £1,000's of revenue plus the added benefit of tourism pound being spent in town."

4 respondents commented on witnessing the **issues of anti-social behaviour by those who camp in their van and in tents** in coastal areas.

"I have experienced caravans and vans parking overnight in the car park, people sleeping there, people urinating and worse there, and seen the rubbish and mess left behind when they have left. I've also seen this happen on the West Overcliff and roads around the area."

"I have been living in a flat on the seafront for only one year and so far I have witnessed quite a few dangerous and environmentally damaging situations on the Southbourne clifftop nature reserve. These include multiple overnight campers in tents for multiple nights, bonfires and BBQs,

extensive littering from campers and many, many overnight sleepers in campervans/vans along the Overcliff Drive. Not only does this become stressful to witness, particularly with the wildfire risks during the dry, summer months but it is very oppressive and causes confrontations among residents and those abusing the byelaws. I am wholeheartedly in favour of a PSPO as per the proposals."

1 respondent felt that it is **unreasonable to ban all camping activity** without clarification on what is or is not allowed, while 1 respondent commented that people who have camped on the beach previously **did not know it was not allowed**.

"Banning all camping without clarification of type is unreasonable. There should be some flexibility in this."

"I have spoken to people who had been camping for 3 days on the East cliff beach in August and no one had told them that it wasn't allowed! And I had seen the ranger drive past."

2 respondents commented that **motorhomes are self-contained**, have their own cooking facilities and therefore do not require the use of barbeques.

"Motorhomes have their own indoor cooking facilities and so don't require BBQs which should be banned here and nationally given climate change impact on rainfall."

Open fires and/or barbeques

There were 575 comments relating to the proposed ban on lighting any open fires element of the coastal areas PSPO.

47 respondents stated that **disposable barbeques should be banned** from use in coastal areas, while 22 respondents suggested that the **sale of disposable barbeques should be prohibited** in shops, especially those that are located close to or within the coastal areas.

"Disposable barbecues are an abomination and you should definitely ban them as soon as possible."

"Disposable BBQ or BBQ that are not kept off the ground should be banned due to risks associated with their use."

"Disposable barbecues are dangerous at any time of day. Ban their sale and their use completely."

"There should not be any shop selling disposable barbecues in or near any area where their use could be very harmful."

48 respondents commented that **disposable barbeques are bad for the environment** due to the material they are made from, the fumes they produce and the impact of the smoke on those in the vicinity and with breathing difficulties.

"Barbecue smell and burning chemicals is disturbing and affecting health badly."

"Disposable BBQ do not align with environmental objectives."

"The materials used to produce disposal BBQs are from unsustainable sources. They cannot be recycled and are often used in an irresponsible manner."

In addition, 91 respondents commented on the **inappropriate disposal** of these types of barbeques. Respondents commented that they are often buried in the sand and other beach users and dogs are injured by either stepping on the metal or hot coals. In addition, they can also start fires in the plastic bins in which they are placed.

"A disposable BBQ will almost certainly be left behind when the user is finished with it. They are difficult to dispose of safely as they remain hot for a very long time. Therefore they pose a serious safety, as well as a littering, problem."

"BBQs leave sharp and hot debris in the sand that can be trodden on with extra burdens being put on the lifeguards and AandE."

"Disposable BBQ's can be a hidden threat below the sand and cause severe burning of innocent feet especially for children playing."

24 respondents suggested that **portable barbeques and those on stands should be allowed** in coastal areas while disposable ones are banned.

"I do not agree with the use of disposable BBQ's, people are able to purchase solid built portable BBQ's that leave no damage or litter."

"Disposable BBQ only allowed if used on appropriate BBQ stand."

However, 18 respondents commented that there should be a **ban on all types of barbeques** in coastal area, while 8 respondents commented that the **smell of barbeques adversely affects other people**.

"It is perfectly possible to have a picnic on the beach without the need to barbecue food. The main beaches have nearby hot food outlets if this is required."

"All BBQs should be banned in public areas."

"Apart from the danger of hot coals being left behind, other users of the facilities don't necessarily want to share the smells of other people's food."

59 respondents commented that both disposable and portable barbeques are a **fire risk** and a hazard for both wildlife and local habitats, while 14 respondents commented that **anti-social behaviour is closely associated** with having barbeques in coastal areas.

"BBQs can get out of hand and cause serious damage to large areas."

"Disposable BBQs damage wildlife and habitats take years to recover, they are also a risk to visitors who could stand on the hot coals or suffer from the smoke."

"Barbecues often lead to the problems PSPO is trying to contain and therefore should be banned, this would also remove risk of injury."

9 respondents commented that **fines** should be given to those who do not adhere to the ban.

"There should be a fine for people who leave BBQ's either unattended or leave the BBQ(s) anywhere after they leave whatever area they are in."

8 respondents commented that the **barbecue areas provided by the council suffice** and there was no need to have a barbecue outside of these areas. In addition, 39 respondents commented that there should be **more of these areas with more barbeques and stands available to hire** from the council. 33 respondents also commented that the council should **provide safe disposal and metal bins** for the coals rather than banning their use.

"BCP invested money into BBQs on the seafront. These are the only ones that should be allowed."

"People should have an option for BBQ at the coast, in a way that allows everyone to be safe. Designated zones/times and clean up areas would allow this."

"I think alternatives should be made available, such as the BBQs in Boscombe or options to loan portable BBQs."

"There is a need to provide proper facilities for the safe disposal of disposable BBQ's."

"Appropriate bins for BBQs and coals disposal should be provided along all sections of the beach. Some people cannot walk as far as the designated areas but this should not stop them from being able to enjoy a BBQ if bins are provided."

However, 8 respondents felt that the **proposed ban on open fires in coastal areas conflicted with these council installed areas**.

"I do feel that it would be hard to implement a ban on BBQs at the beach whilst you are allowing the public to use the ones provided by the council."

8 respondents commented that allowing barbeques **after 6pm and in the evenings was sufficient**. However, 7 respondents commented that it would be **unsafe to allow barbeques in the evening**. 3 respondents proposed **different times** to allow barbeques, while 1 respondent felt that the ban should apply **all year round**.

"If barbecues are bothering people during the day I don't see any issue with only having them after 6pm."

"We have given people the opportunity to use these in a sensible manner but this has not happened. Later on in the evenings these BBQs often become magnets for anti-social activities as they are used for warmth and light and atmosphere…there is rubbish left around them and encourages drinking in excess…trying to recreate Ibiza style beach gatherings."

"Make use of BBQs at certain times only and also at certain places only. These times could vary from place to place. Some areas are better suited to lunchtime activity and other places are better suited to evening activity."

"Should apply 24 / + 365 days."

35 respondents commented that the **council should not ban barbeques**. Reasons included that the ban was dictatorial, the majority of barbecue users did so safely and responsibly, while a barbecue on the beach was part of the British seaside culture. 25 respondents commented that **education on the proper use of barbeques is all that is required** rather than a ban, while a ban should only be implemented if the weather requires it.

"Cooking on a fire or barbecue is our original most natural way of cooking and eating. Banning this entirely is ridiculous people just need to learn to use things responsibility."

"Don't stop the many from enjoying BBQs due to the few that don't do it right."

"Part of beach life and fun. Please stop banning things."

"Just more education around safe use and places to dispose of them safely."

In addition, 5 respondents commented that a ban on disposable barbeques **unfairly discriminated against those who cannot afford a non-disposable**, portable one.

"Disposable BBQs are not ideal and best avoided but should not be banned. For low income families these represent a relatively cheap option."

44 respondents commented that **beach hut users should be exempt from any ban** on open fires and barbeques, particularly those on Mudeford Spit. Beach hut users use portable, gas barbeques, dispose of them correctly and it is their only method of cooking.

"Beach hut owners should be excluded as barbecues are an essential part of the hut experience and owners know and manage the risks and clear up."

"Hengistbury Head/Mudeford Sandspit is a residential beach hut owners who use BBQ for breakfast, lunch and dinner cooking. We use dedicated BBQ containers which are safe and these should be allowed in these areas as it is part of our living conditions. Some people run out of gas bottles and this is there only way of cooking."

9 respondents commented that barbeques should be **banned on heathland**, while 4 respondents commented that **disposable barbeques should only be allowed on beaches**.

"Just don't light barques or fires on heathland. Or in high risk areas. Beaches shouldn't be included in this."

"Disposable BBQ only on beach."

2 respondents commented that **open fires should be banned**, while 4 respondents felt that **fires that were above ground were fine** to have.

"Open fires should be banned at all times - I see several during the year and they are often quite large. There is no way that anyone cleans up these after themselves."

"Fires in fire bowls, contained and not even touching the earth/grass/soil are different and fine."

Other comments and suggestions

There were 29 other comments and suggestions in response to this question that did not relate to the restricted behaviours proposed in the coastal areas PSPO.

9 respondents commented that more needed to be done to control **dogs** on beaches and in coastal areas.

"Something should also be done about the dog owners who use the beach and do not clean up afterwards."

"Anti-social behaviour is also caused by irresponsible dog owners who do not have their dogs on leads on the promenades or chines and have little regard to the people only beaches between May and October."

3 respondents commented on **cyclists** using the promenade inappropriately.

"The biggest public nuisance is still the issue of speeding cyclists on the seafront, and of those who do not keep to the summertime ban. Much more signage, barriers and enforcement is needed."

4 respondents commented on general issues with **parking** in coastal areas.

"More car parks are needed."

"You also need to include car parking issues. More fines and more tows."

2 respondents suggested that **smoking** should be banned on beaches.

"I think there should also be a smoking ban on the beaches. When we go to the air show it's disgusting when everyone is crowded in."

2 respondents commented on **fishing** in coastal areas.

"I'd like to see some restrictions/advice for people fishing. There are a minority who pitch up close to families/people enjoying the beach and sea and start fishing on nice days and evenings. I'd like to see fisher free beaches as well as dog free ones."

"Sea fishermen shouldn't be affected by any bans as per the Magna Carta. You should be able to cook a fish you catch."

Other comments include that the council should not be allowed to undertake **burning of vegetation in coastal areas**, that the PSPO should also **include the sea margin** so that motor powered water vehicles do not endanger swimmers and other sea users, that **gazebos** on beaches need to be restricted as they restrict access to others using the area, that there needs to be **more bins** in coastal areas and that there needs to be **improved signage** in coastal areas, directing visitors where to go as well as the local restrictions that are in place.

3.5 Considering equalities and human rights

Respondents were asked to write in any positive or negative impacts of this proposal that they believe that BCP Council should take into account in relation to equalities or human rights, and if so, to provide supporting information and to suggest ways in which the organisation could reduce or remove any negative impacts or increase any positive impacts.

447 respondents provided feedback to this question. Responses were coded in to three key themes relating to 'positive impacts of the PSPOs', 'negative impacts of the PSPOs', and 'other comments and suggestions'. Please note that where respondents have provided comments that relate to more than one theme, their feedback has been categorised into multiple categories.

Theme	Number of comments
Positive impacts of the PSPOs	110
Negative impacts of the PSPOs	489
Other comments and suggestions	64

Positive impacts of the PSPOs

There were 110 comments relating to positive impacts of the PSPOs.

22 respondents commented that the proposed restrictions would contribute to **increased safety and enjoyment** of the local area for all, while 16 respondents commented that the PSPOs would protect the rights of **local residents** and 8 respondents commented that they would improve the area for **visitors**.

"Any steps that are taken to protect our environment for all to enjoy are a positive move forward."

"These measures are sadly necessary with the change in behaviours over the last 5 years. The areas need protection to ensure the majority continue to enjoy."

"There also needs to be respect for the rights of residents, ratepayers, neighbours and most of our visitors to enjoy these facilities quietly and peaceably. Those are the rights which need protecting."

"We are talking about the comfort and safety of all, residents and visitors alike."

19 respondents commented that they supported the proposed PSPOs because they would **help address anti-social behaviour** that currently occurs, including the behaviour of visitors to the local area.

"I have had a beach hut for 7 years between the piers. It is a no go zone after 6pm due to anti-social behaviour on the beach, drinking, smoking cannabis, people driving under the influence, loud music from cars, litter left on the beach, fires every night on the beach, overnight camping on beach, urinating and defecating behind the beach huts. It's about time something is done."

"Anti-social behaviour and risk of fire damage has a negative effect on everyone."

"I do feel it is a shame that people cannot wild camp but I understand that there are lots of people who don't know how to camp responsibly and cause damage and mess to clear up, so the campers who are responsible have to suffer with a complete ban. Having the ban for the busy summer months makes sense."

6 respondents commented on the need to protect the rights and ensure the safety of **women**.

"The use of the basketball court is solely restricted to able-bodied young men. There is no access for girls, younger children or for people with disabilities."

"I hope that women and girls in public toilets and other private places will be protected from men masquerading as women."

15 respondents commented that the proposed PSPOs would ensure the protection of the **local environment**, while 17 respondents commented barbeques should be banned to prevent the **risk of fires** and would stop the **inappropriate disposal** of them.

"I tend to think of the wildlife and fauna rather than a person's rights. I use the coast and heathlands for walking a great deal and see the damage that fire and litter creates. Let's keep our beautiful countryside for everyone to enjoy including the wildlife."

"The risk of fire is a threat to our wildlife. As a resident that has had a heath fire near my home I can honestly say it is very scary."

"Fires and sharp objects are a danger to all, young, old, fit or not and animals."

6 respondents commented that **overnight camping and sleeping in vehicles should be banned** because it has become an issue in the local area and those who do so litter and leave the area a mess.

"It is about time, overnight camping/sleeping in cars/campervans is rife in the BCP area, with some campervans resident in car parks or street around all year almost as though someone is living in their van."

"The campers are creating rubbish and waste but don't pay council tax to help pay for the services to clear."

Negative impacts of the PSPOs

There were 489 comments relating to negative impacts of the PSPOs.

127 respondents commented that they were opposed to the proposed bans on overnight camping and sleeping in vehicles because they **discriminated against the homeless**, some people **choose to sleep in vehicles** instead of a house/flat, either voluntarily or because they could not afford a house, while others did so to **escape domestic abuse**.

"Many people now live in their vans as they cannot afford rent or mortgages. You are looking at alienating these full time van dwellers. It is in fact discriminating against these people."

"Due to the cost of living crisis people are being forced into situations like living in vans to stop them getting into debt. They are good people and should not be discriminated

against. We should be supporting these people because that's what good human beings do, help people. Making it harder for them to live a good life by banning them from parking in certain places is not supporting them at all."

"There may be people who have left a traditional lifestyle due to being vulnerable in their relationships. For example women who are escaping domestic violence and I believe that any potential ban on sleeping in vehicles could put these vulnerable groups and their children at risk as those fleeing domestic violence often escape by sleeping in their vehicles in the first instance."

"Given the cost of living and homelessness crisis, for some people sleeping in a vehicle or camping out may be the only option. These people have just as much right to exist as anyone else, don't make life harder than it already is for them."

A further 8 respondents commented that being **able to choose where they sleep** was a human right.

"People have a right to sleep in their vehicle overnight where they wish if it does not cause a nuisance or pollute their environment."

32 respondents commented that the proposals to ban overnight sleeping in vehicles would negatively impact on the **gypsy and traveller community**.

"The attempt to ban overnight parking and camping will directly affect travellers, many of whom are classed as ethnic minorities (Irish and Romany). This appears to be a targeted piece of anti-traveller legislation and as such I am staunchly against it. It is already hard enough for travellers to find safe park-ups, removing those they do still have access to is cruel and unnecessary."

"This seems like it will discriminate against gypsies and other travellers."

33 respondents expressed concern about **how the proposed bans would be able to be enforced** and that there were existing legislations to tackle anti-social behaviour and loud music.

"Enforcing any ban needs to be in place if to be effective. Careful consideration before any time and money is wasted."

"Do think that some of this is rather over the top and also some of it is vague in terms of detail and question these issues could mostly be tacked using existing powers."

26 respondents commented that the proposals **punish the majority who respect the local area** due to the actions of an inconsiderate minority.

"The right to freedom of movement and to enjoy one's life shouldn't be dictated by a small minority who periodically may ruin it for others."

"It seems to me a minority of people behaving in an anti-social manner are impacting negatively on the majority."

34 respondents commented that **everyone should be treated the same** and that rules should be applied consistently irrespective of a person's demographic.

"All visitors should be treated the same whether staying in a hotel, guest house, private house or motorhome."

"Everyone no matter what group they fall into has the right to visit the beach or open space."

"Can't think of any. Rules should be applied consistently irrespective of race, gender or religion."

13 respondents commented that the proposals were unfair on those who **cannot afford to stay in hotels** or go on expensive holidays, while 7 respondents commented that access to the **outdoors and coastal areas was for everybody**, not just local residents and those who could afford to visit them.

"I do feel the blanket ban on overnighting negatively impacts the young especially young families, who have less money (especially now) and are trying their best to have a holiday on a shoestring (even if it is only an overnighter)."

"People from poorer community enjoy congregating in public spaces they can't afford to go to dinner. Don't take away people's right to socialise or have fun in public spaces."

"We have been encouraged by BCP to use the open spaces for fun and meeting especially since Covid. You've provided BBQs on the beach front now you want to ban us being able to enjoy our local area. What about us that live in the many flats without gardens that the council approved."

53 respondents commented that their human right to **freedom and to access open spaces**, as well as to live their life how they want and choose would be negatively impacted by the proposals. In addition, 14 respondents commented that **barbeques and socialising was a way of life** and the council should provide more designated

barbecue areas for people to enjoy doing so. The council should provide designated areas for people to do this. 1 respondent commented that there is no issue with playing music in public places.

"I believe banning sleeping overnight is taken away our human rights, freedom of travel."

"You would be contravening my freedoms and human rights to a family life."

"The authority could increase the availability of static barbecues for visitors to use which have been provided already."

"Yes it unfairly make criminals of people who are doing things that have gone on for generations."

24 respondents commented that **sleeping in campervans and motorhomes**, many of which are self-contained **does not have a negative impact on others** and they do not engage in anti-social behaviour or leave litter or mess in the areas that they stay.

"As long as persons respect the area and keep it tidy, then no ban needs to be implemented."

"I strongly believe it to be a valuable human right for mature and responsible people to be allowed to live in mobile homes, properly equipped for living without the need for open fires. Such people are unlikely to cause noise nuisance and much more likely to respect the integrity of the areas of natural beauty to which their mobility gives them access."

A further 23 respondents commented that the proposed restrictions unnecessarily target those who stay in motorhomes and campervans, making them **feel unwelcome in the local area**. Furthermore, 30 respondents commented that the proposals would have a **negative impact on local businesses** because it would reduce the number of visitors who spend money in the local area.

"The council is discriminating against owners of self-contained motorhomes."

"By imposing a blanket ban on overnight sleeping in vehicles is discriminatory towards many motorhomers. Many local authorities are embracing visits of motorhomers and the income that they bring to their communities. Please contact Campra who have detailed EVIDENCE of this. Please also refer to the thousands of Aires that are provided by local authorities in France, Germany, Spain, and the Scandinavian countries."

"I believe that although, no human rights are being infringed, we are giving off the impression of an unwelcoming town and driving money away from the community right as a historically difficult economic era begins."

"Will result in reduced tourism and income for the area, bad idea."

28 respondents commented that the proposals would negatively impact on the **disabled and elderly**, many of whom travel in motorhomes that are adapted to their physical needs. The installation of height barriers would prevent them from parking close to the areas they hope to visit, as well as close access to toilets and other amenities.

"Lots of elderly people use motorhomes and they would struggle to visit, and spend money, if they had to travel too far from their vehicles."

"Please note that a lot of visitors in motorhomes are disabled, elderly, or clinically vulnerable (including myself) and have chosen a motorhome as their only safe means of holiday transport and accommodation. Banning them is discriminatory, effectively meaning they cannot safely visit your borough."

3 respondents commented on the impact that the restrictions on behaviours and activities would have on those who are **neurodivergent**. While 2 of these commented that the proposals would negatively impact on them due to sleeping in their van due to their neurodivergence, 1 of these respondents commented that their sensory sensitivities mean that they struggle to be near the sights and smells of barbeques so welcomed the ban.

"I am autistic and I use my camper van as an escape, where I can spend time alone and relax. I enjoy parking along the over cliff roads with a sea view and sometimes I stay overnight. I leave no trace and I'm not doing any harm. I use the seafront cafes."

"As an autistic person with sensory sensitivities, it's really hard for me to enjoy the beach when people light up their smelly barbecues. I can't smell the sea, and instead I smell chemical and burnt smells of the BBQ. I wish they were restricted to Boscombe Pier area, as that is a party area anyway."

13 respondents commented that having barbeques and sleeping overnight in the areas covered by the PSPOs helps with their **mental health and wellbeing**, which

would be adversely impacted if they were no longer able to do these in the local area.

"Massive negative impact to people's mental health and wellbeing with Draconian laws on what time they can BBQ on a public beach! Massive negative and dangerous impact on the health and wellbeing of homeless people living in vehicles, will you be providing alternative safe places for them to sleep?"

"Many people travel and stay in areas making no impact and leaving no rubbish, making no noise or nuisance. I've been advised by my occupational therapist to go out and stay out in my van for the benefit of my mental health, it really does help me in the challenging day to day life."

9 respondents commented that the proposals unfairly targeted **young people** as it would limit the activities that they take part in within the proposed areas.

"This may harmfully impact youth (e.g. those that play music that is not to older people's taste are more likely to have the police called on them)."

"There has been a long tradition of young people having beach parties (e.g. at half term, end of term) - therefore BCP must not discriminate against young people."

4 respondents commented that the proposals negatively impacted on their **religious beliefs**, while 5 respondents commented that the proposals impact on different **ethnicities and cultures** who place a high importance on large social gatherings with family and friends.

"My belief system (religion) requires sleeping in a vehicle overnight, your proposal would directly conflict with my religion and way of life."

"This may also harmfully impact immigrants, who may come from cultures where large outdoor family gatherings are the norm, and are often actually very respectful, safe and clean."

"BAME minorities are often economically disadvantaged, as such any bans on common low cost activities, such as overnight camping are likely to disproportionately affect these groups."

2 respondents commented that the proposals impact on those who **drive for a living** and those who need places to rest and sleep.

"It is in the Highway Code that you must stop and rest and not drive when you are tired!"

Other comments and suggestions

There were 64 other comments and suggestions.

8 respondents questioned **how the council would determine what was 'detrimental to others'** and what would be allowed.

"The definitions of anti-social and loud music - detrimental. What defines and who decides."

38 respondents suggested that the council needs to provide **designated spaces, Aires and campsites** for those wishing to stay in the local area in motorhomes, campervans and tents.

"Talking to councils such as Fylde and Powys about their provision for overnights and how it is working for them. Talking to organisations such as CAMPrA about providing overnight parking for motorhomes as they can refer you to other councils experiences."

"A couple of campsites should be constructed along the coastal area. Seaside should be accessible for people with less money to spend, as well as the richer tourists (a total ban is too easy option)."

3 respondents suggested that the opening hours of **public toilet and shower facilities** need to be extended.

"Just maintain the existing toilets please. Far too many are closed and poor washing facilities."

8 respondents commented that **beach hut owners**, particularly those on Mudeford Spit, should be exempt from any ban on the use of barbeques.

"As drafted, the PSPOs are discriminating unfairly against residents in those areas, which would include hut owners. Residents, including hut owners, should be excluded from the orders."

2 respondents commented that **dogs** need to be kept under better control and on leads in the local area and on beaches.

"There is no mention of the need to enforce the requirements of dog owners to obey the law inc. Highway Code Rule 56. Dogs often off leads where a lead is required esp. beaches and Upton Country Park (e.g. the play park). Dog owners seem oblivious of the law/rules and take exception to being challenged. The behaviour of many dogs is a real problem esp. when we are out with grandchildren and when cycling. BCP seems to be dominated by a priority for dog owners agenda."

2 respondents commented that **fishing should be exempt** from any restrictions. In contrast, 1 respondent commented that **restrictions were required** on those who fish.

"Sea fisherman fishing the foreshore should not be affected by the bans unless they are being dangerous to the environment or others. The Magna Carta gives us rights to fish and as such a shelter should be allowed for the duration of any stay."

"Camping on beaches especially Friars Cliff area is being abused by people just taking a couple of fishing rods! There are few genuine who would nay have a shelter at best but not a tent, I have personally witnessed many in tents with a rod outside!"

1 respondent commented that **cycling and scooters along the promenade and in town** needs to be better policed and restrictions enforced.

"Don't promise to deliver and fail to see though i.e. scooters and bikes on prom and pavements all over town. Delivery scooters in pedestrian areas at speed."

1 respondent commented on the **survey accessibility** for those who do not have the internet.

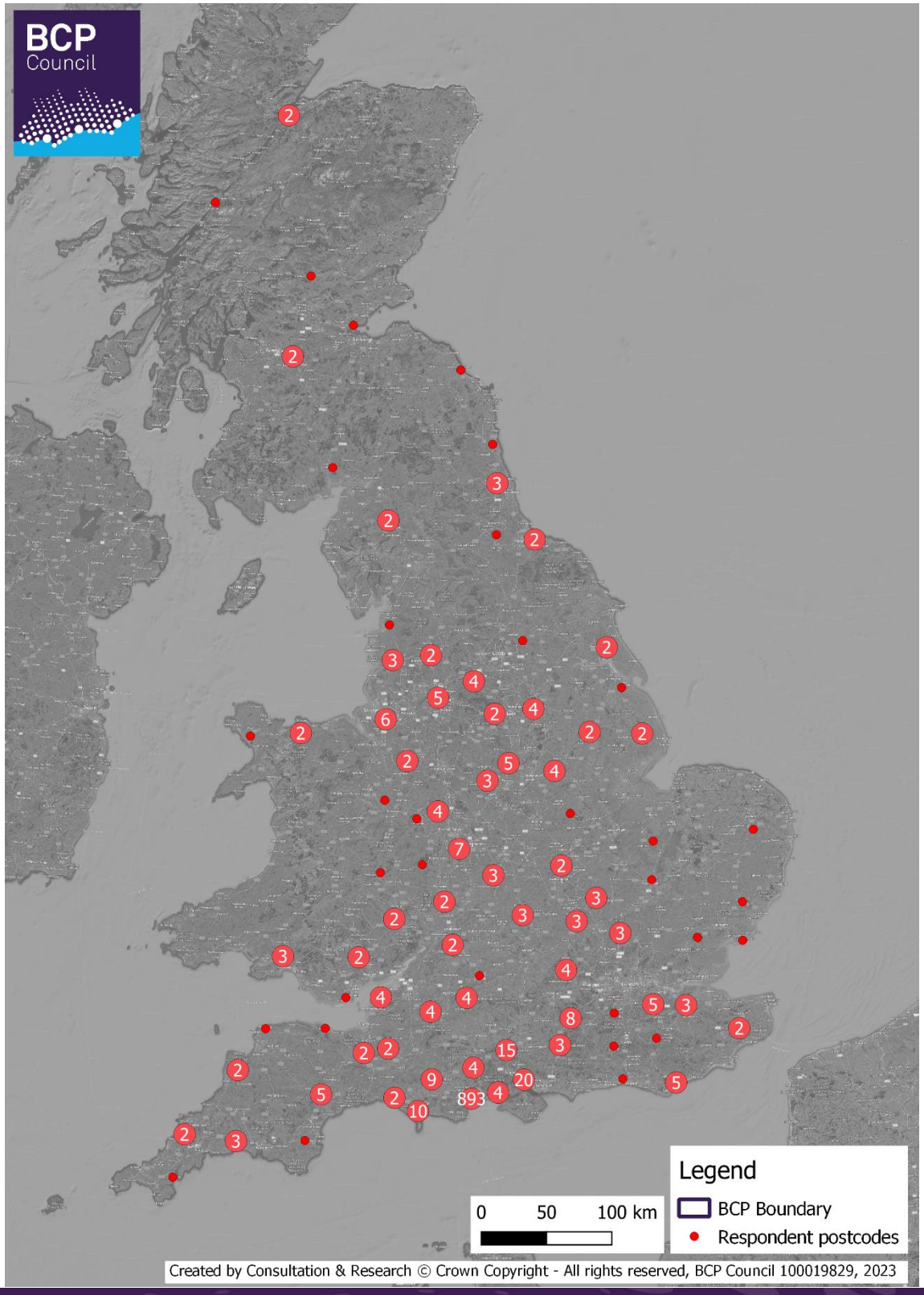
"Why is this not available to people who do not have the internet to let their feelings and thoughts be known? Why is this not more publicly known? It comes across that all our rights are being removed by BCP without fair consultation to the majority of people within this area."

4 Respondent profile

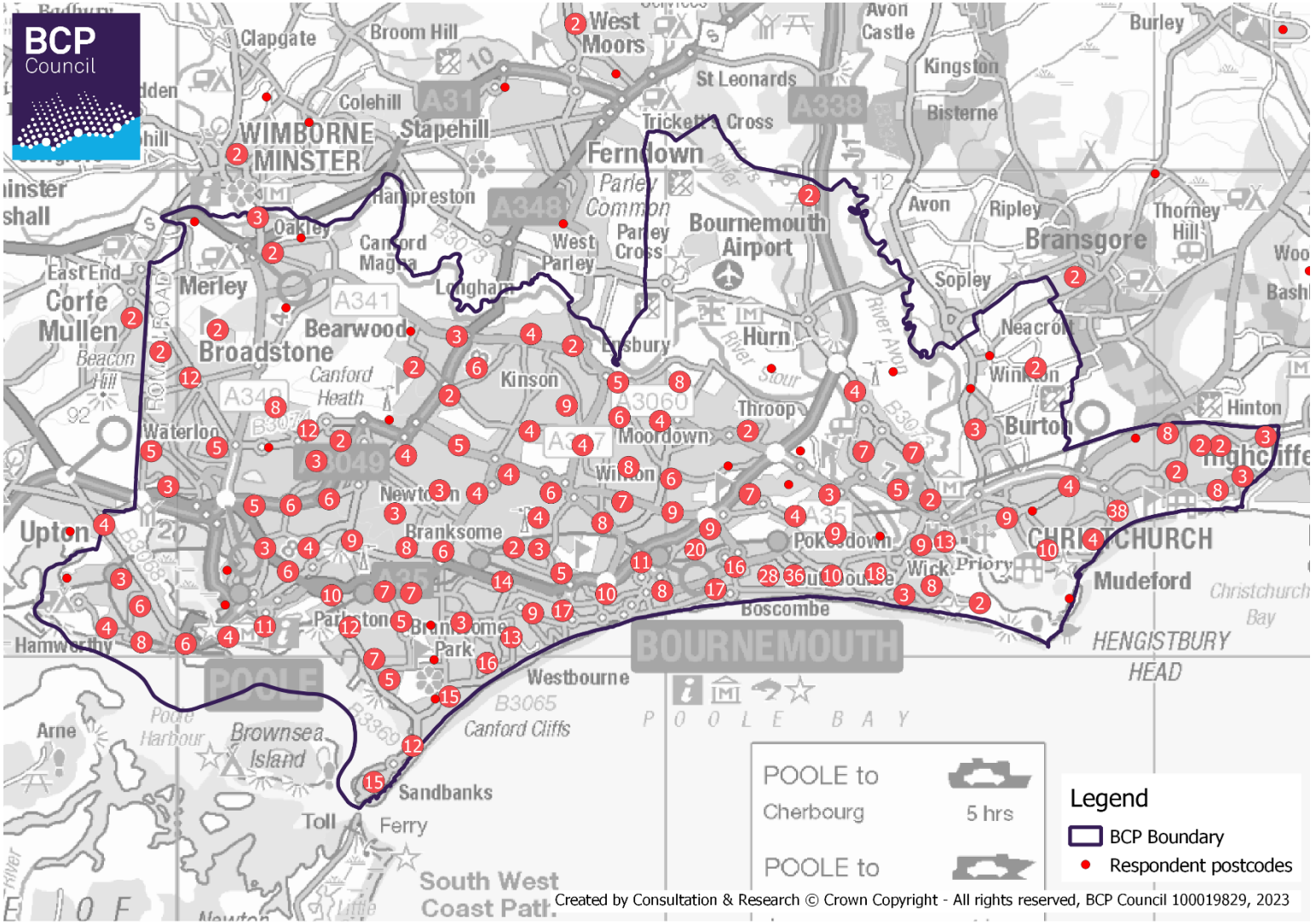
Group	Breakdown	No. of respondents	Percentage
Age	Under 16	1	<1%
	16 - 24 years	21	1%
	25 - 34 years	132	9%
	35 - 44 years	202	13%
	45 - 54 years	304	20%
	55 - 64 years	379	25%
	65 - 74 years	295	19%
	75 - 84 years	91	6%
	85+ years	6	<1%
	Prefer not to say	98	6%
Gender	Female	696	45%
	Male	655	43%
	Prefer 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%

5 Map of respondents

1145 respondents provided a valid full postcode at the end of the survey. Of these, 853 are in the BCP Council area and 292 are outside of BCP. The map below shows the spread of respondent postcodes across the U.K.:



The map below shows the spread of respondents with postcodes in or surrounding the BCP Council area (marked out in purple):



6 Email responses

4 responses to the consultation were received via email. 1 of these was from a local resident whilst 3 responses were from groups/organisations. These responses are shown below:

Response 1

We are aware of the BCP Council upholding the Rockwater Application to extend Branksome cafe and sanction its extended licence for both alcohol and music . The meeting in December when this decision was discussed by Councillors was preceded by the instruction that noise ,antisocial behaviour and opening hours were not their concern and would be dealt with by police/ environmental health which so many of the responses referred to. Anyone who wanted to speak at the meeting to oppose the approval of the application received short thrift

In our view the upholding of the Rockwater Application was nothing less than a disgrace ; it ignored the fact that the cafe/restaurant was situate in a conservation area , the building was classified as a heritage building and residence particularly those in close proximity were ignored - we would say with disdain. The Councillors who voted to uphold the application will need to explain themselves when they next stand for re election to the Council unless they retire in shame and try to wriggle out of responsibility

It now seems that the Council have recognised the pressures that the area and its residence face in that they are considering action under the PSPO that relates specifically to BCP & have raised a consultation document seeking local opinion called Coastal , open spaces ,highways and car parks . It basically would allow the Council to legally restrict activities deemed antisocial in specific areas which are detrimental to the qualities of life to those visitors and residence in the locality .

Would you please note that in our view the BCP Authority should use every power available to it under the PSPO to restrict what can take place by Rockwater

Response 2

East Dorset Group

Coastal, open spaces, highways and car parks

Public Spaces Protection Orders (PSPOs) – Consultation

This is the response to consultation by the Ramblers – East Dorset Group on a proposal to introduce PSPOs as above.

The Ramblers – East Dorset Group (the Group) is a part of the Ramblers Association. A registered charity (England and Wales no. 1093577, Scotland no. SC039799 and a company limited by guarantee registered in England and Wales no. 4458492. Registered office 3rd Floor, 1 Clink Street, London SE1 9DG

The Group has over 500 members, the majority living within the towns of Poole, Christchurch and Bournemouth although the views expressed in this document may not be the views of every member of the Group.

The Group has no objection to the introduction of PSPOs as detailed in the consultation document.

However, the Group makes the following comments, concerns and proposals.

1 It is concerned that the PSPOs are only proposed to be in force for the period 1 March to 31 October, the Group believes and proposes that they should be in force for the whole year from 1 January to 31 December. It is assumed that the PSPOs will be enforced for 24 hours each day.

2 It is stated in the Summary of Evidence that complaints have been received about rubbish that has been left behind. The Council supplies litter and rubbish bins

in most public areas and these should be emptied at regular intervals to ensure that adequate facilities are available to the public to dispose of litter/ rubbish. It is noted that litter bins previously allocated to the Bourne Valley Park area have been removed in past months and the clearance of litter from the area is inadequate, it is suggested that litter bins are again provided in this area. A review should be carried out elsewhere within PSPOs areas and litter bins should be augmented if necessary. Also on this subject, adequate litter picks are arranged in all PSPOs areas.

3 The Group has a concern that not all parks and open spaces are included in the PSPOs proposed areas and it is suggested that the following are added

Kings Park

Meyrick Park

Middle Chine

Poole Park

Poole Baiter Park

Christchurch Quay

4 It is stated that the PSPOs will be enforced by authorised officers. The consultation document infers that such officers are already employed, with the increase in PSPOs areas, it is assumed that additional staff will be employed and officers will patrol all PSPOs areas on a regular basis looking out for anti-social behaviour and not just responding to public complaints. Will the Council set up a special reporting telephone line so that the public can report issues promptly?

5 In open space areas mainly heathland and probably parks the problem of illegal use of motor cycles is an increasing problem and although this issue may be subject to other legislation, it is proposed that it should be an issue covered by PSPOs banning the use of these vehicles at all times.

6 It is stated in the Summary of Evidence that complaints have been made about the impact of urination and defecation, it is noted that not all public toilets are open for 24 hours a day and there are problems especially during the late evening in this respect, the Council should ensure that sufficient public toilets are available in all PSPOs areas.

In Summary

The Group supports the introduction of PSPOs in all areas and proposes that the geographical areas listed in 4 above should be added.

The Group is happy with the behaviours to be restricted with the added issue of the illegal use of motor cycles.

The Group has no views on the use of BBQs in coastal area but supports the complete ban on the lighting of fires and the use of BBQs in open spaces, parks and heathland, highways and car parks.

It is felt that the Group is not sufficiently aware of the dangers in the use of disposable BBQs and cannot comment on this proposal.

Prepared by M W Heckford on behalf of the membership of the Ramblers – East Dorset Group

Response 3

Historic England

Public Consultation - Draft Public Space Protection Order:

Bournemouth Christchurch and Poole Council

Thank you for sight of the proposed terms and conditions of the proposed Public Spaces Protection Order: Bournemouth Christchurch and Poole.

Historic England is the Government's statutory adviser on the historic environment. Officially known as the Historic Buildings and Monuments Commission for England, we are an executive Non-Departmental Public Body sponsored by the Department for Culture, Media and Sport (DCMS). Our principal powers and responsibilities are set out in the National Heritage Act (1983).

Part of our role is to maintain the National Heritage List for England (NHLE). The list is the official register of all nationally protected historic buildings and sites in England

- listed buildings, scheduled monuments, protected wrecks, registered parks and gardens, and battlefields.

A search of the list has been undertaken in order to identify type and status of protected historic buildings and sites located within Bournemouth Christchurch and Poole area.

See link: Search the list: Map search Historic England

The search has identified the following; A scheduled prehistoric barrow cemetery on Canford Heath consisting seven scheduled monuments. Several listed buildings and listed grave stones including the grade I listed Church of St Peter, Hinton Road, Bournemouth, all within the designated Conservation Area of Old Christchurch Road. And a Registered Park and Garden recorded as *The Upper Central and Lower Pleasure Gardens and Coy Pond Gardens*, Bournemouth.

The barrows on Canford Heath are particularly vulnerable to the threat of fire being on open heathland so a ban on the lighting of fires in this area would help protect this nationally significant site.

St Peters is protected as a Grade I listed church. A review of our records indicates that the condition of the church has not been assessed for several years and whilst no crimes have been recorded, the church and church yard are vulnerable to crime and anti-social behaviour, in particular: vandalism in the form of graffiti and damage to the historic stone fabric and stained glass windows.

We have noted the terms and conditions identified within the draft order and whilst on this occasion we will not be seeking to propose the inclusion of any additional restrictions or conditions to the order, we would seek to encourage enhanced monitoring of the protected sites within the defined area.

I have spoken with Historic England's Head of Heritage Crime Strategy, Mark Harrison, and he would be happy to deliver an awareness workshop to council and law enforcement professionals.

Yours Sincerely

Sasha Chapman

Sasha Chapman

Inspector of Ancient Monuments, South West Region

cc Mark Harrison, Head of Heritage Crime Strategy, Policy and Evidence

Public Space Protection Orders (PSPO) options appraisal following public consultation

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:

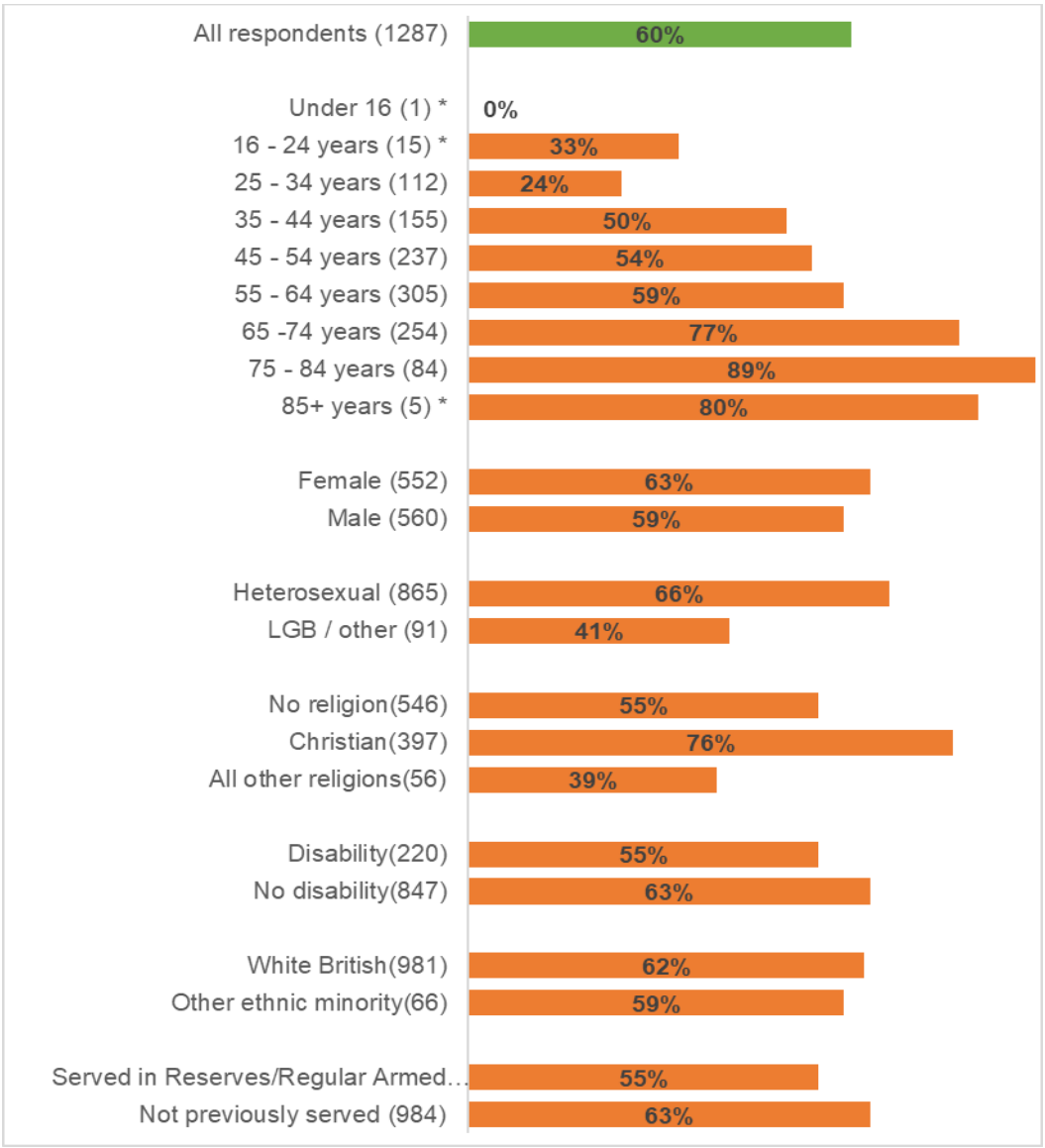
- *BCP Council has an extremely poor record on enforcing current rules/laws for example: camping overnight on beaches etc. How are you able to fund and enforce these new rules?"*
- *"I agree this places should be protected. But will you actively enforce these new regulations? The enforcement is key! 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.

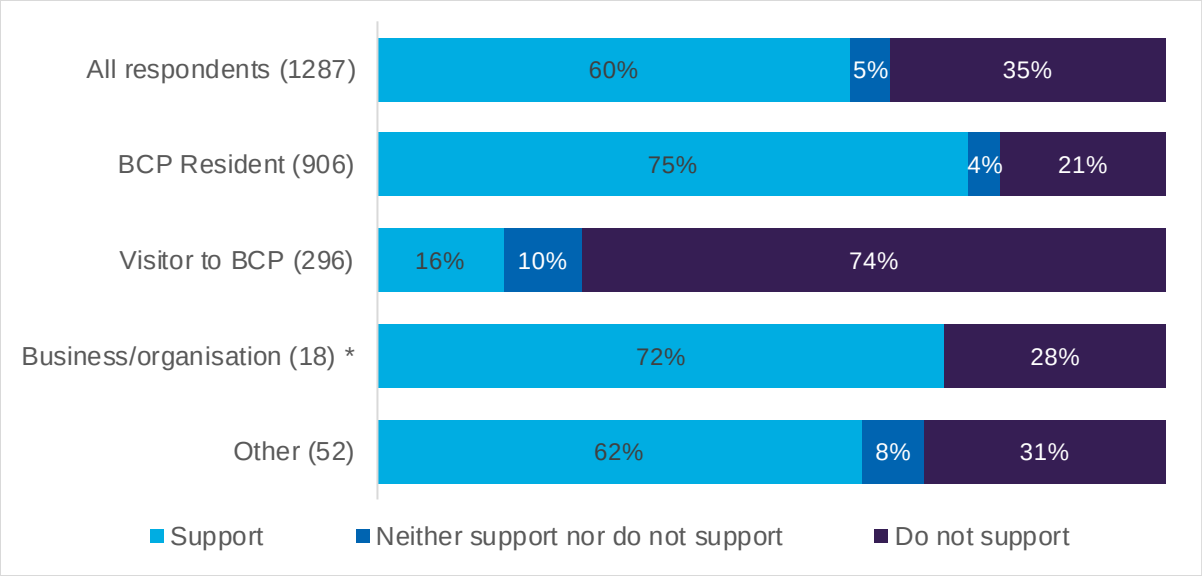
Open Spaces PSPO feedback and assessment

Overall Assessment

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



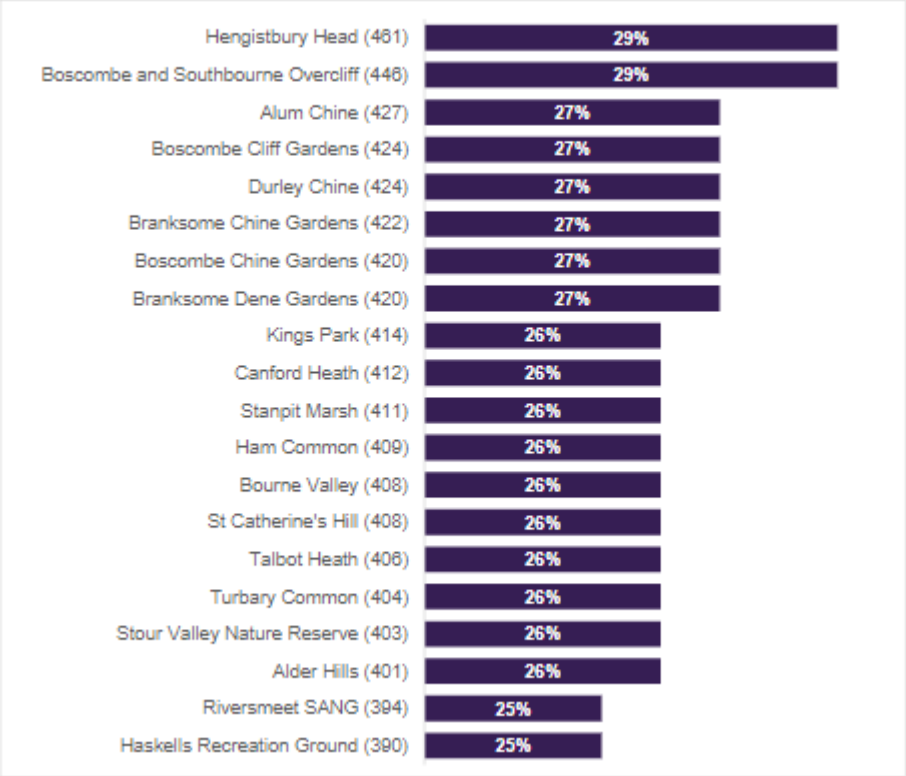
36. Overall, 60 % of respondents supported this proposal. There was no real difference between genders with support at around 61%.
37. The age profile shows greatest support in those aged 45 – 54% rising to 89% in those aged over 75 -85. There was significantly less support from those aged 25-34 with 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 bought 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.**

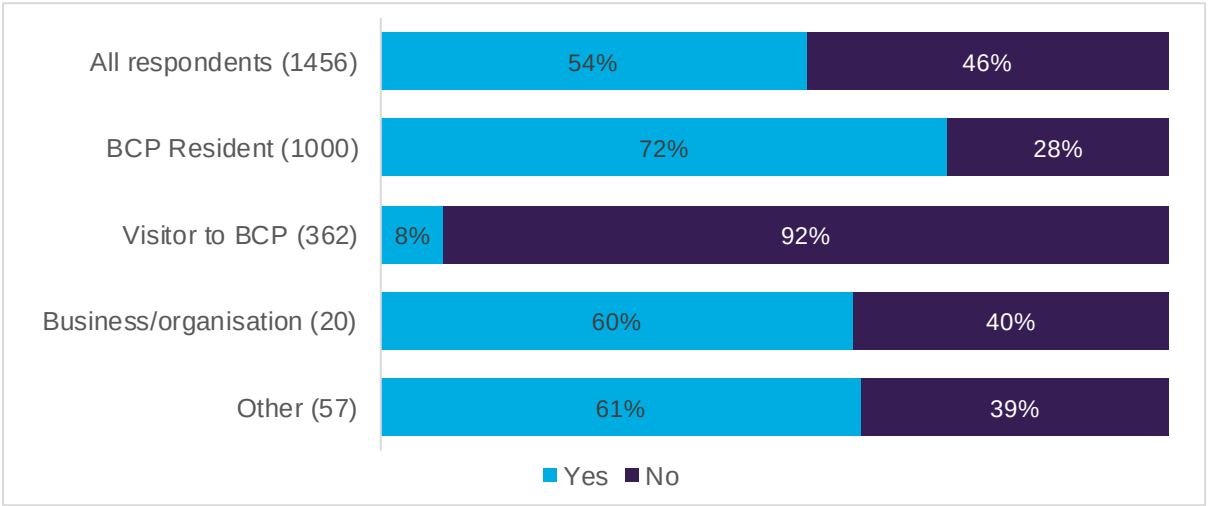
Overnight camping, staying or sleeping with or without a tent or gazebo in the designated areas covered by the PSPO without the permission of the landowner.

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.**

<u>Lighting open fires and BBQs.</u>

Prohibition

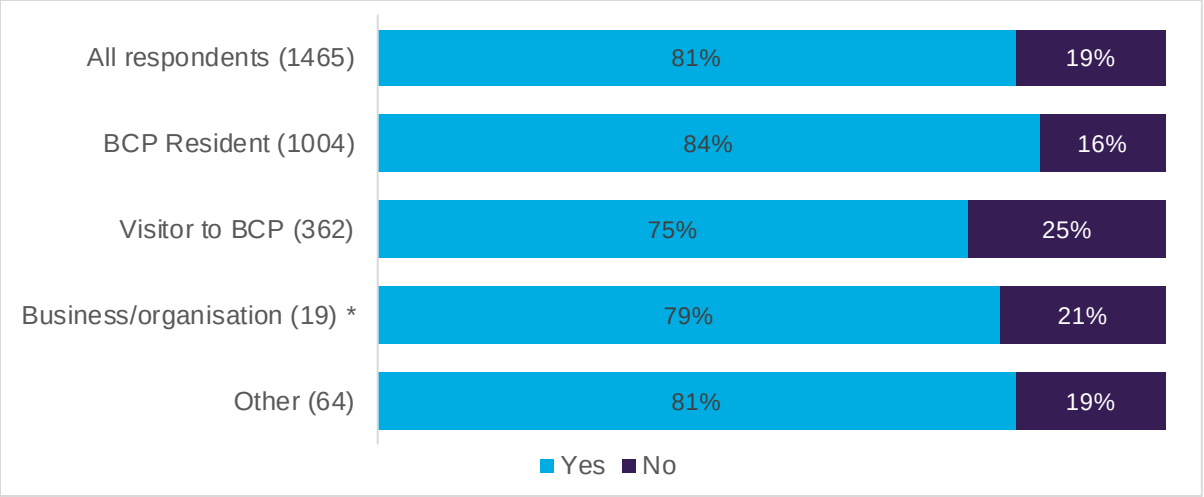
64. No person shall place, throw or drop in the “Designated Area”, anything likely to cause a fire.
65. No person shall light a fire, and/or barbeque (including a disposable barbecue) in the Designated Area”.
66. No person shall use any item in the Designated Area” which either

    (i) causes a naked flame or

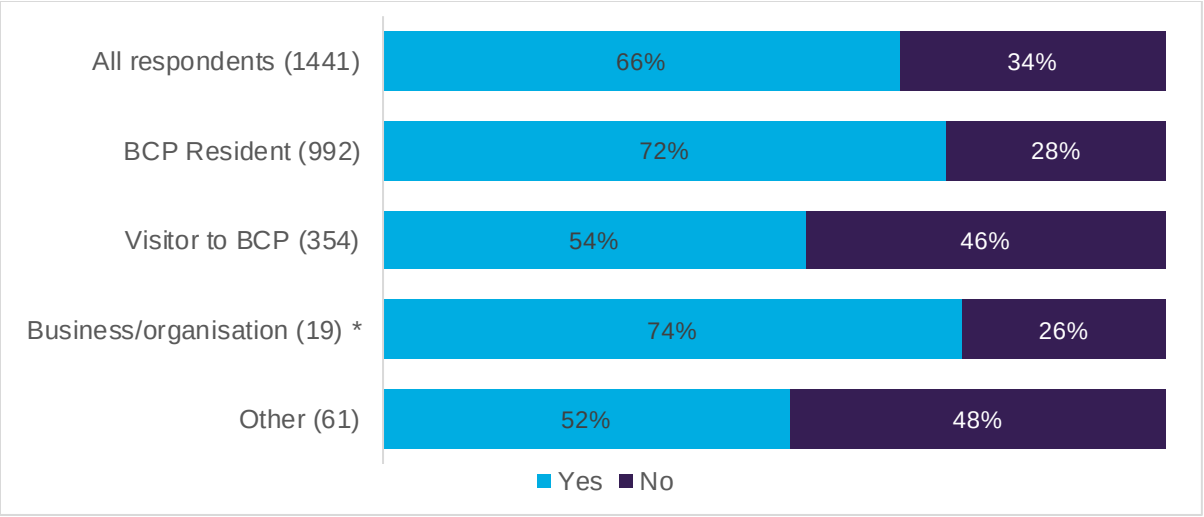
    (ii) poses a risk of fire.

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.

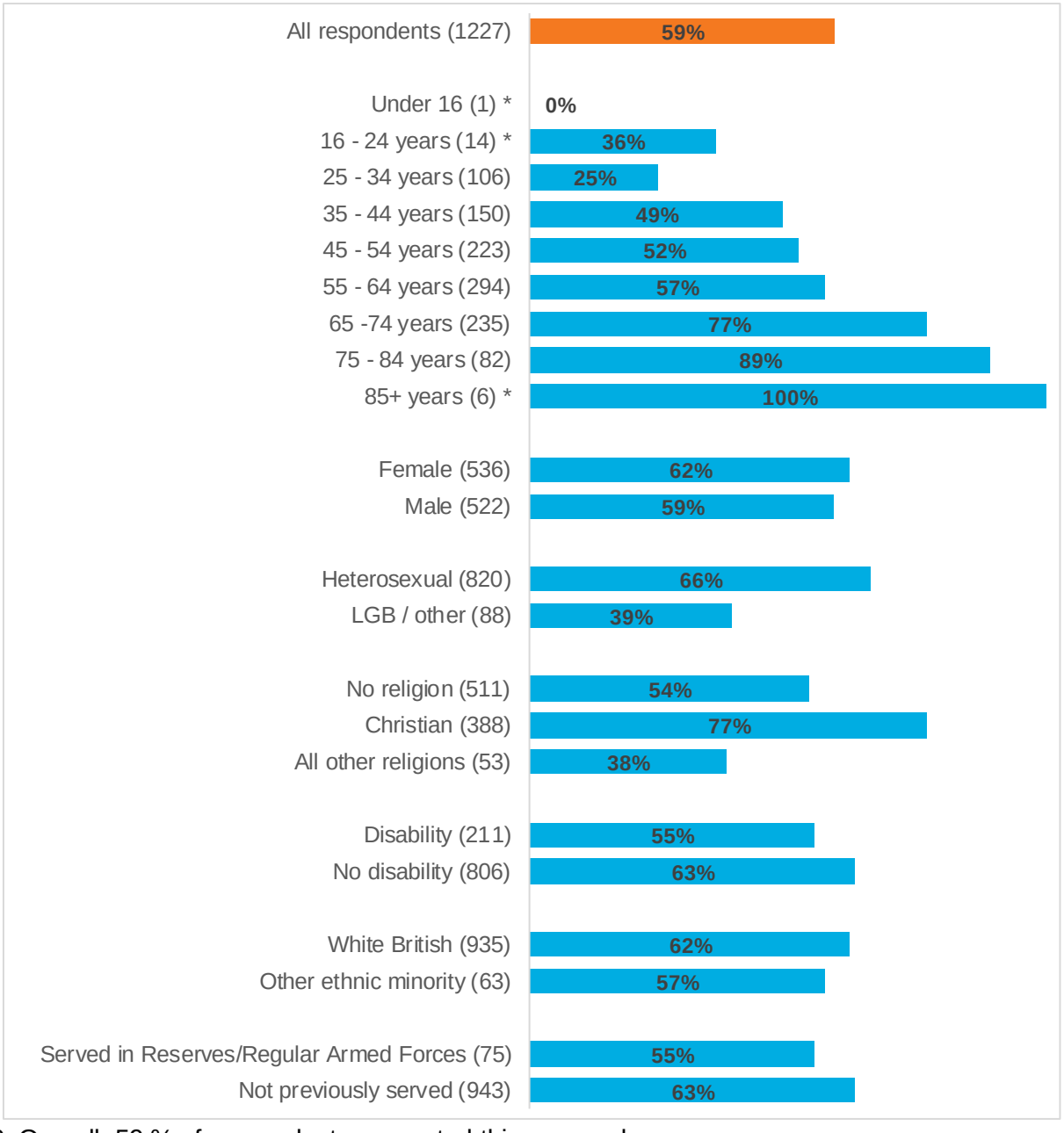
Recommendations

- **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

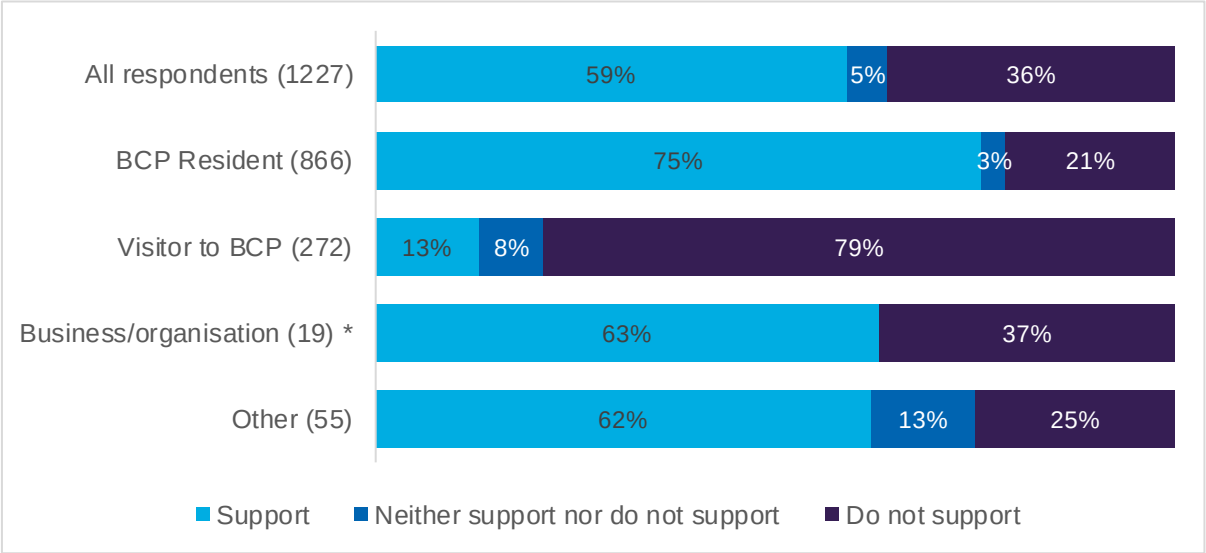
78. The chart below shows the support for the highways and car parks PSPO by personal characteristic.



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.

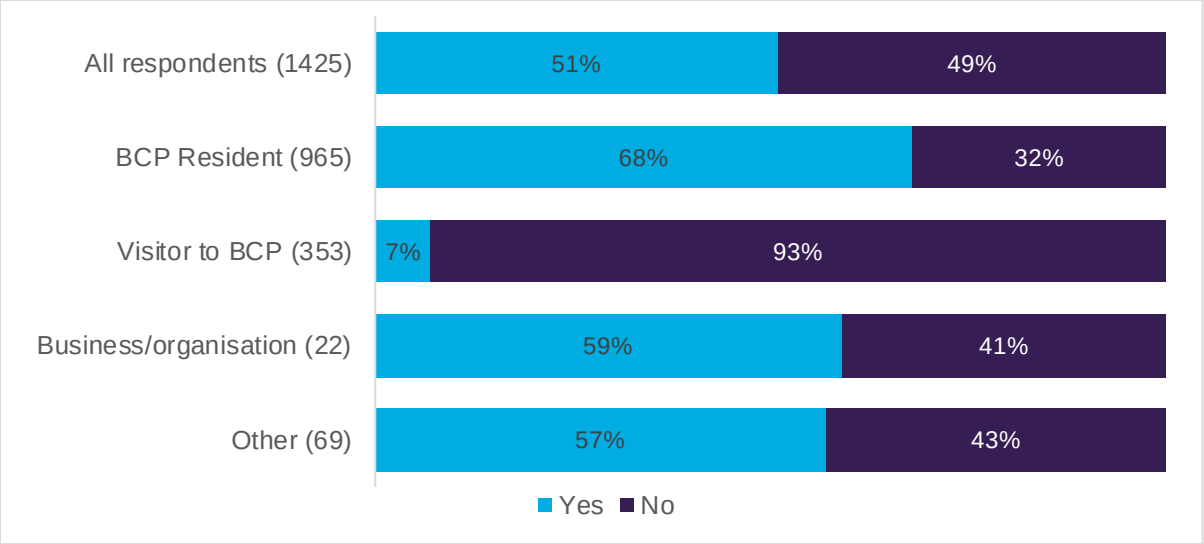
<u>Overnight sleeping or staying in a vehicle.</u>

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 your 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.**

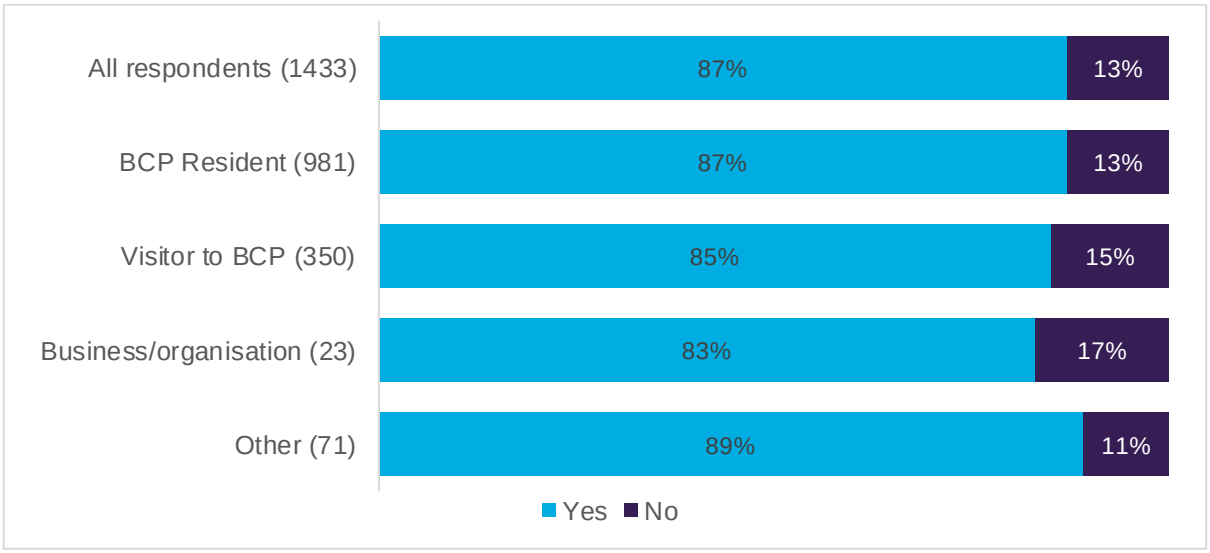
Playing loud music to include amplified or acoustic instruments or singing at levels which has a detrimental impact on others within the designated area covered by the PSPO.

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 intimated 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.

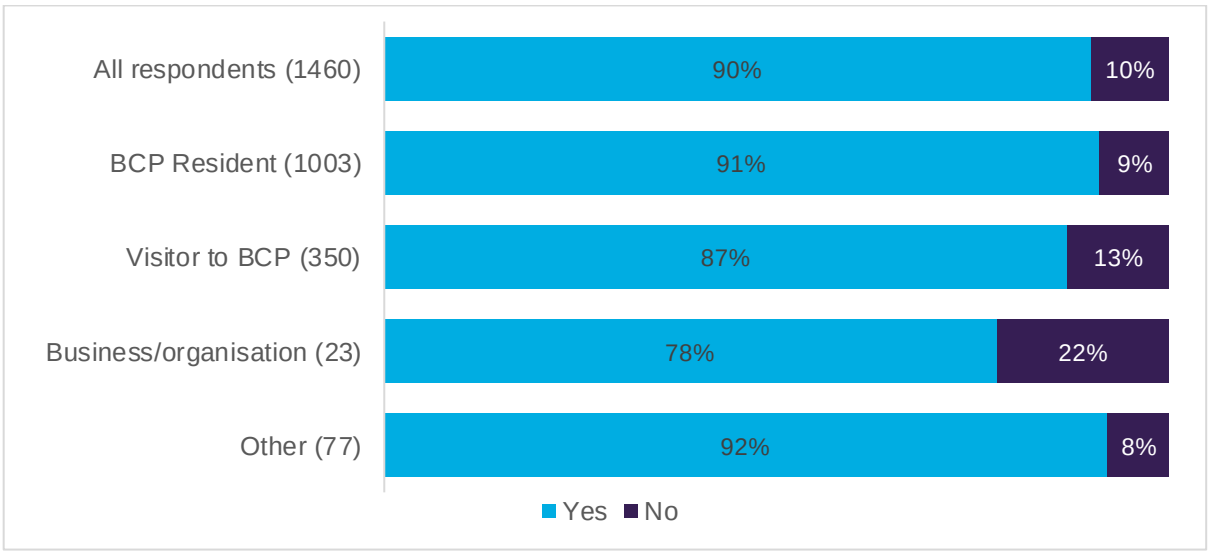
Prohibition

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 an in 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 of 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.

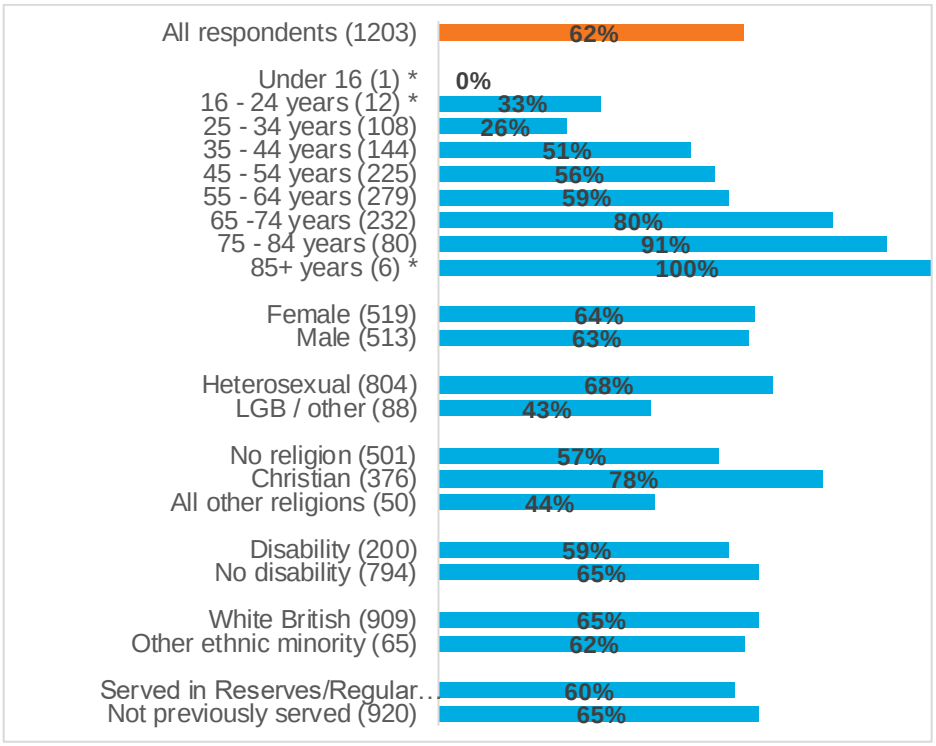
Recommendations

- **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

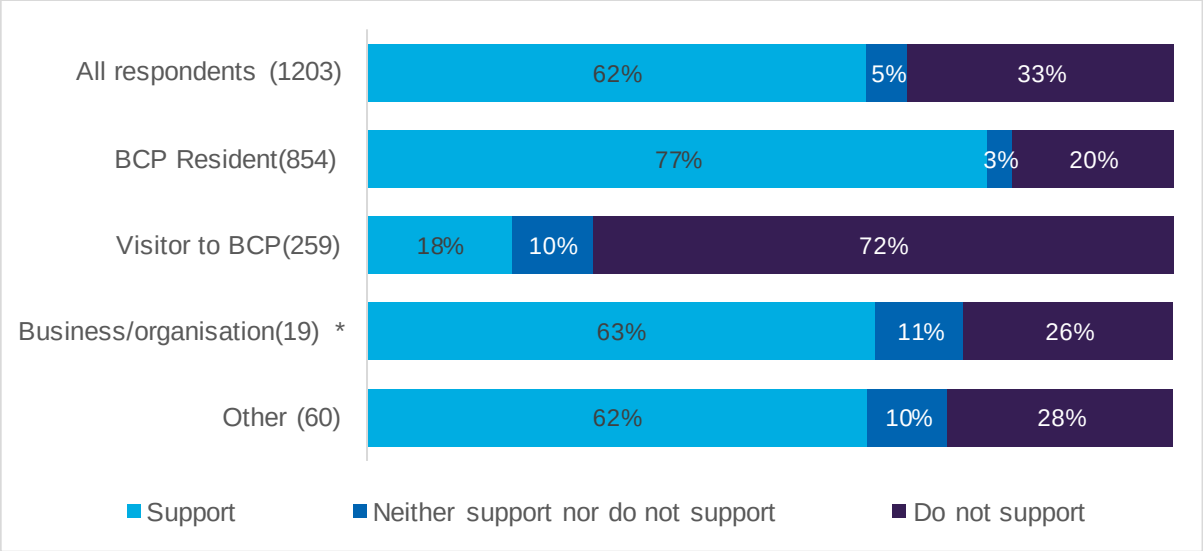
119. The chart below shows the support for the highways and car parks PSPO by personal characteristic.



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**

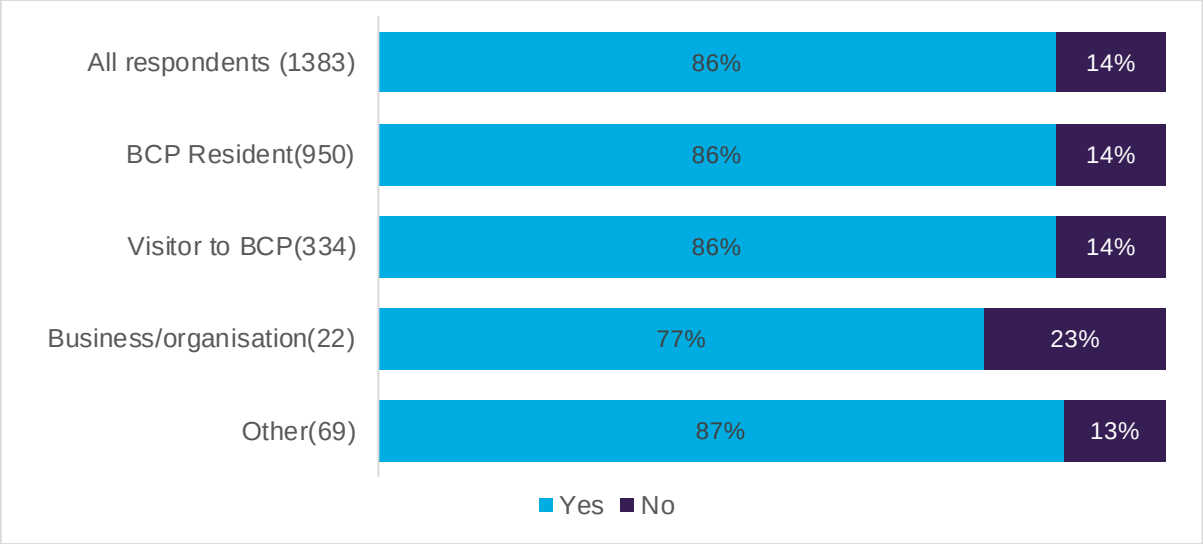
Playing loud music to include amplified or acoustic instruments or singing at levels which has a detrimental impact on others within the designated area covered by the PSPO.

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."**

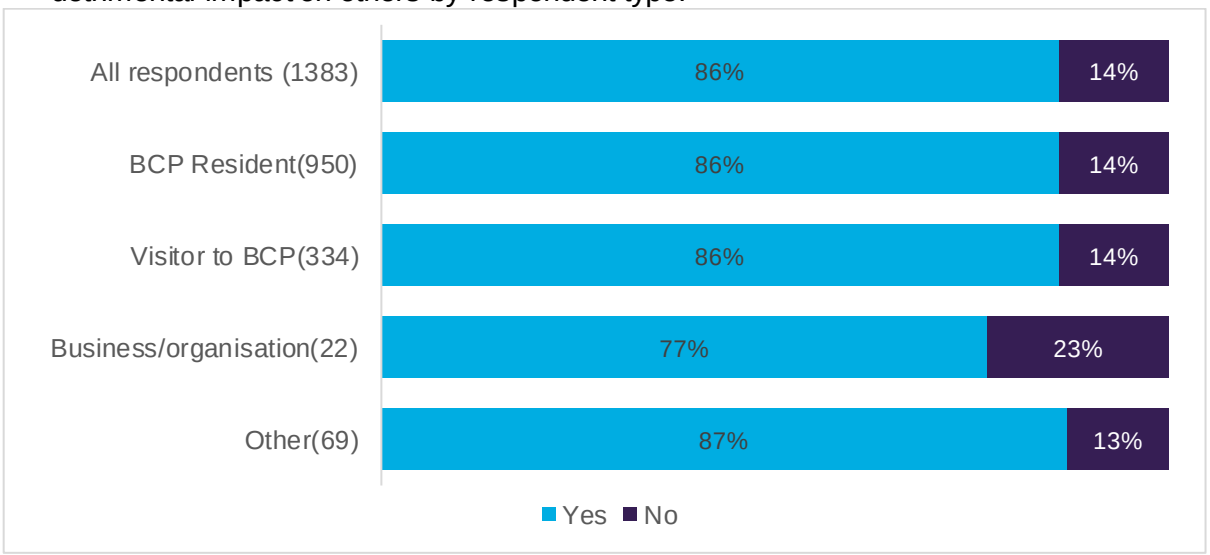
To act in a manner which has a detrimental impact on others in the locality which includes but is not limited to, fighting swearing spitting, and causing intimidation either by an individual or a group within the designated area covered by the PSPO.

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.

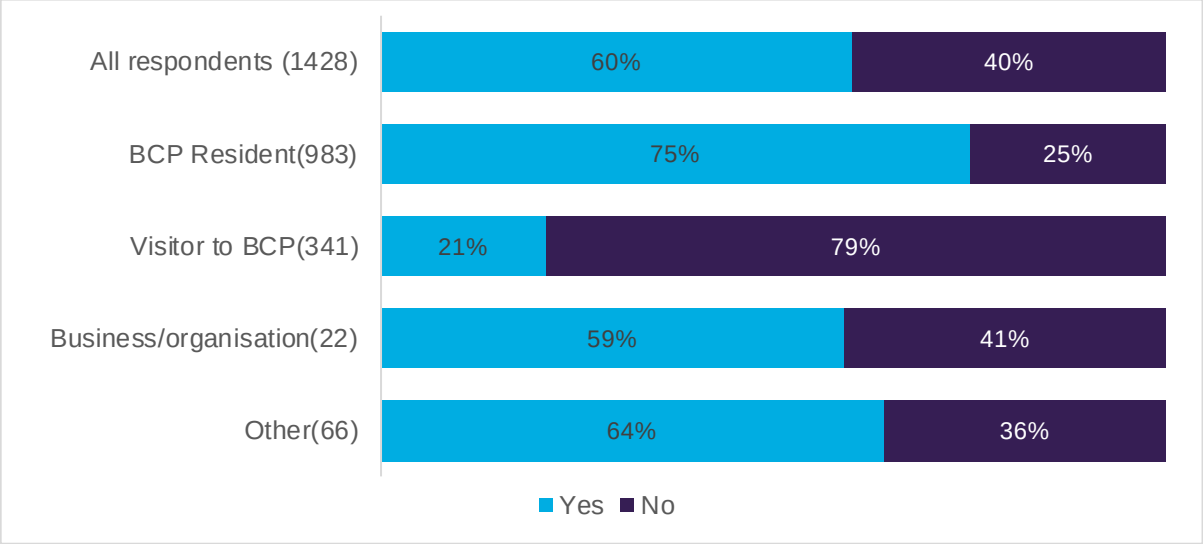
Overnight camping, staying or sleeping with or without a tent or gazebo in the designated areas covered by the PSPO without the permission of the landowner.

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.**

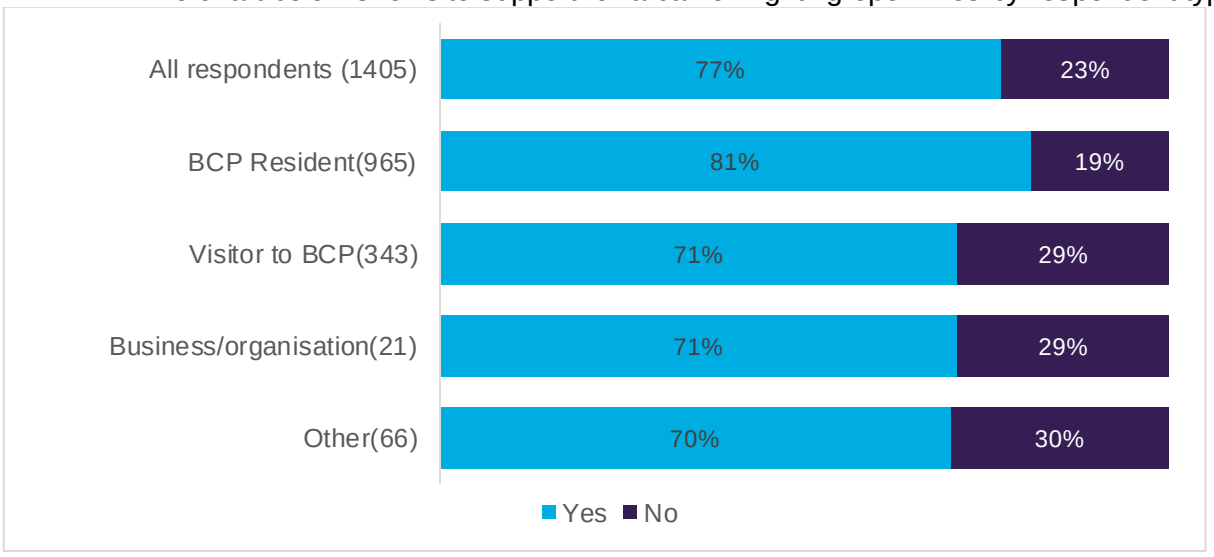
A person or persons are prohibited from the following activities: the lighting of fires; barbecues; or using any article/object which causes a naked flame, and which poses a risk of fire.

Prohibition

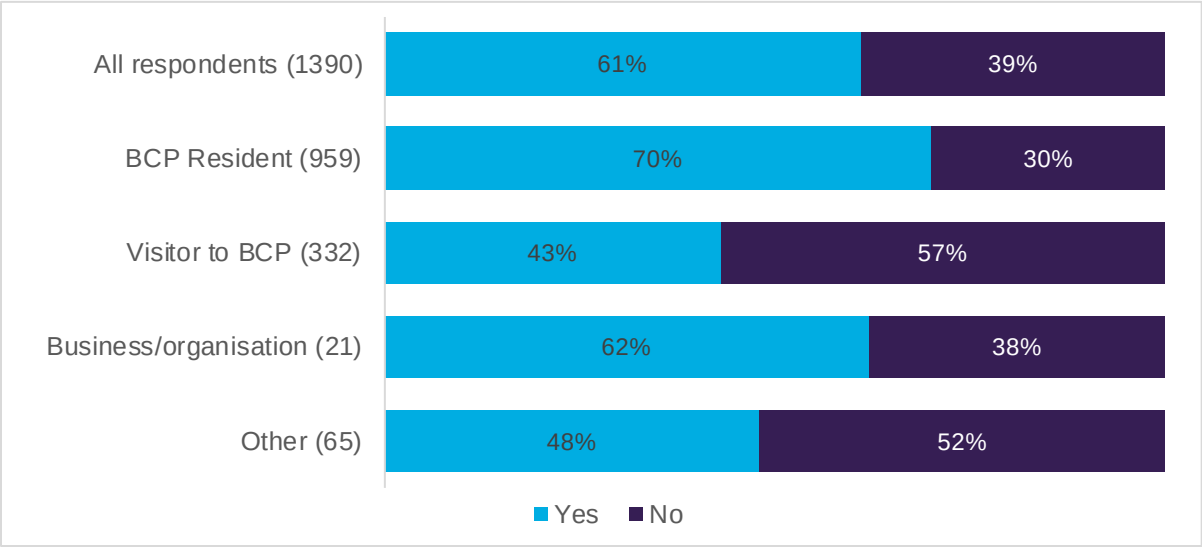
170. No person(s) shall light an open fire in the "Designated Area" at any time.
171. No person(s) shall use a BBQ between the hours of 07:00 - 18:00 in the "Designated Area".

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 (3%) 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."**

Open and Coastal Spaces Public Spaces Protection Order Enforcement Protocol

Enforcement

1. This Enforcement Protocol relates to the Coastal and Open Spaces PSPO's which can be viewed on the Council's website here.
2. In carrying out any enforcement activity BCP Council will abide by and be informed by the principles of;
    - **Enforcement** - based around firm and fair regulation
    - **Proportionality** - degree of the risk of harm caused (precautionary principal)
    - **Consistency** - a similar approach in similar cases to achieve similar outcomes within which a degree of discretion is available
    - **Transparency** - helping people to comprehend what is required of them to include details of any rights of appeal
    - **Targeting** - directing regulatory effort effectively using a risk based approach
3. The Council will not operate a zero tolerance to PSPO infringement, all breaches will be considered on their individual merits. Communications will be key to informing residents and visitors of the PSPO and conditions attached, and signage will be prevalent in the areas of coverage.

Partnership Working

4. Dorset Police will have delegated authority to enforce the PSPOs within Bournemouth, Christchurch and Poole. However, the Council will be the primary enforcers.
5. Enforcing Officers will follow guidance issued, record details of the offender and maintain supporting evidence of the breach. Officers will issue warning letters or FPNs if appropriate. Relevant agencies may be made aware of the breaches.
6. Officers will consider any safeguarding or vulnerability issues when considering the application of FPN's including referrals to relevant support and outreach services.
7. Where a person has been dealt with for more than two breaches resulting in FPNs being issued, consideration will be given to a Multi-Agency Risk Management Meeting (MARMM) referral so that options can be discussed to tackle the issues linked to the person continuing to offend. This could include support/intervention or enforcement options such as an ASB Injunction or Criminal Behaviour Order.

Issuing Fixed Penalty Notices

8. An authorised officer of the Council may issue a FPN to anyone they have reason to believe has committed an offence under section 67 of the Anti-social Behaviour, Crime and Policing Act 2014.
9. A FPN is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for an offence by payment to the Council the amount specified in the notice.
10. No proceedings can be taken before the end of 14 days following the date of issue for the notice. A conviction may not be sought if the recipient pays the FPN before the end of that period. BCP Council will issue a FPN of £100 to be paid within 14 days with a reduced amount of £80 if paid within 10 days of the date of issue.
11. If the amount is unpaid a final reminder letter will be issued giving a further seven days' notice. If the penalty remains unpaid, the matter will result in prosecution.
12. Payments of a FPN by instalments will not be accepted.

13. An FPN must contain prescribed information:

    (a) give reasonably detailed particulars of the circumstances alleged to constitute the offence;

    (b) state the period during which proceedings will not be taken for the offence;

    (c) specify the amount of the fixed penalty;

    (d) state the name and address of the person to whom the fixed penalty may be paid;

    (e) specify permissible methods of payment

14. The Council will issue FPNs to individuals identified as breaching the prohibitions or requirements of the PSPO. Full and accurate details of each FPN shall be recorded and monitored at all stages from issue to closure.

15. Failure to pay the FPN within 14 days from the date of issue may result in prosecution. To ensure the creditability of an FPN scheme, all cases involving non-payment will be referred to the Council's legal services with a view to prosecution. If convicted, a defendant is likely to receive a fine, be ordered to pay prosecution costs and will incur a criminal record.

16. There is no fixed time in which the FPN must be served. However, to avoid any allegation of abuse of process, FPNs will normally be served within 15 working days of the date of the offence.

17. Any income received from the FPNs must be ring-fenced and spent on Council functions relating to community safety matters.

18. Costs awarded against defendants following successful prosecution will be received by the Council once recovered by the court service.

Young People

19. If the Enforcing Officer has reason to believe that the offender is less than 18 years old, they should obtain the person's name and address and explain that they will be issued a formal warning letter and that their parents or guardians will be notified.

20. The details shall then be passed to the ASB team via email to asbteam@bcpcouncil.gov.uk who will then follow their established community consequences scheme protocols.

21. If following further checks, the person is found to be over 18, the FPN process will apply.

Mitigating Circumstances

22. A FPN shall only be issued where there is sufficient admissible evidence to support a prosecution, including offences directly witnessed by an authorised officer, or where there is reliable witness testimony.

23. A FPN shall only be issued where the local authority is confident that the correct identity details have been provided. Failure to supply a name and address, or to supply false details to an authorised officer is an offence.

24. FPN should not be issued where a suspect appears to be unable to understand what is being offered to them, for example there is a doubt about their ability to understand English. Where such circumstances arise every effort should be made to illicit / impart the required information.

25. Where the suspects' behaviour suggests they have learning difficulties or mental disorder, or where the suspect is under the influence of alcohol or drugs, the Enforcing Officer should question whether issuing a FPN is appropriate (as it may go

unpaid) and whether education is a better solution or if prosecution may be in the public interest.

26. Where no satisfactory address exists for enforcement purposes, this may be where the Officer has reason to believe that the suspect is homeless or where the suspect is a non-resident foreign national, further multi-agency work will be undertaken to educate and support.

27. When considering the issuing of a FPN, Officers will consider whether the offender has a reasonable excuse for the potential breach before taking this form of action.

28. PSPOs that require an offender to leave the restricted area for a specific amount of time, the Officer must allow the following mitigating criteria to apply which are used for Dispersal Orders in accordance to the Anti-Social behaviour, Crime and Policing Act 2014:

29. An Officer may not give a direction to leave the area and not return for a specific amount of time;

    • that prevents the person to whom it is given having access to a place where the person lives.

    · that prevents the person to whom it is given attending at a place which the person is—

    (a) required to attend for the purposes of the person's employment, or a contract of services to which the person is a party,

    (b) required to attend by an obligation imposed by or under an enactment or by the order of a court or tribunal, or

    (c) expected to attend for the purposes of education or training or for the purposes of receiving medical treatment, at a time when the person is required or expected (as the case may be) to attend there.

30. An Officer may not give a direction to leave the restricted area and not return for a specific amount of time if the person is one of a group of persons who are—

    (a) engaged in conduct that is lawful under section 220 of the Trade Union and Labour Relations (Consolidation) Act 1992 (peaceful picketing), or

    (b) taking part in a public procession of the kind mentioned in subsection (1) of section 11 of the Public Order Act 1986 in respect of which—

    (i) written notice has been given in accordance with that section, or

    (ii) written notice is not required to be given as provided by subsections (1) and (2) of that section.

31. In deciding whether to give a direction an Officer must have particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Convention. "Convention" has the meaning given by section 21(1) of the Human Rights Act 1998.

Disputes about enforcement

32. Once a FPN has been issued, the recipient may decide to phone or write to the Council pleading mitigation or contesting the fact that a FPN was issued. An alleged offender contesting a FPN should be advised that there is no obligation to pay a fixed penalty and there is no formal appeal procedure.

33. Whilst the Council should review the facts of a particular case when invited, the opportunity to challenge the allegation and plead not guilty to the alleged offence at

an independent hearing is open to the recipient of the FPN. This will be by the way of prosecution, on summons, and trial in a Magistrates' Court.

34. Any person requesting a reconsideration of the decision to issue a FPN should do so in writing to the Head of Safer Communities, BCP Council, Civic Offices, Bourne Avenue, Bournemouth. Dorset. BH2 6DY.

35. Such letters may help identify any issues that need resolving or investigating before a case is prepared for court. Arguments over the law, the amount of the fixed penalty etc. will not be relevant, but claims that a defence applies will.

36. Only in exceptional circumstances will it be appropriate to withdraw a FPN or not proceed to summons on non-payment. Examples of this may be when information that was not available at the time the FPN was issued becomes available, that it would not be in the public interest to prosecute, or that the notice should not have been issued to the person named in the notice.

37. Where reconsideration has been requested, and the decision to issue the FPN upheld, the appellant shall be informed within five working days of the decision and the original payment terms, including the opportunity to pay the charge at the discounted rate, which will apply from the date of letter notifying the appellant of the results of the reconsideration.

38. Where a reconsideration has been requested which results in the withdrawal or cancellation of the FPN, the appellant shall be informed within five working days of the decision. Any complaint regarding the issue of a FPN to do with its appropriateness or proportionally in the circumstances shall be dealt with under the Council's complaint procedure, details of which are available on the Council's website. Compliments and suggestions (bcpcouncil.gov.uk)

Enforcing Officers

39. Officers with delegated authority to issue a FPN under the Orders within the scope of this protocol are;

- Community Safety Accredited Officers (CSAS)
- Seafront Rangers
- Senior Seafront Rangers
- Grounds Maintenance Supervisors
- Countryside Wardens and Rangers
- Heathland Mitigation Officers

Training

40. All Enforcement Officers will receive relevant training prior to issuing any FPN under this protocol. Training will be refreshed every three years.

Collection of Personal Data

41. Name address and additional details will be requested by the Enforcing Officer when issuing an FPN. The enforcement of the PSPO's requires authorised officers to collect and process personal information about identified individuals found to be in breach of these orders.

42. In accordance with the principles of The General Data Protection Regulations, in particular their right to the protection of personal data, this information will only be retained as long as necessary in relation to the enforcement of Public Space Protection Orders.

Active Review

43. This document will be reviewed and updated every six months – to reflect as required any further site specific guidance required as enforcement action is carried out.

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Anti-social Behaviour, Crime and Policing Act 2014

The BCP Council Coastal Area Public Space Protection Order 2023

BCP Council ("the Council") in exercise of its power under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) hereby makes the following order:

This Order shall be known as The BCP Council Coastal Area Public Spaces Protection Order 2023 and shall come into force on XXXX 2023 for a period of three years unless extended or varied.

This Order has six sections and should be read in conjunction with the related Schedules.

Contents:-

Definitions

In this Order the following words or phrases are defined as follows:

"Authorised Officer" means a person authorised in writing by the Council for the purposes of this Order and Dorset Police Officers and PCSO

"Designated Area" means the area outlined in blue and shaded in purple on the attached maps in Schedule 1.

Section 1- Anti-social Behaviour

1.1 This Section applies to all public places within the land identified and described in Schedule 1 the "Designated Area" and imposes the prohibition contained in subsection 1.4.

1.2 The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met in that activities have been carried out within the "Designated Area" which have had a detrimental effect on the quality of life of those in the locality which include but is not limited to, acting in an aggressive or intimidating manner to include aggressive swearing, either by an individual or a group.

1.3 The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities are persistent or

continuing in nature, are such as to make them unreasonable, and justify the restrictions imposed by this order.

Prohibition

1.4 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"

Requirements

1.5 To stop behaving in a manner which is having a detrimental impact on others within the "Designated Area", when asked by an authorised officer.

Offence

1.6 A person who fails without reasonable excuse to do anything that a person is prohibited from doing by a Public Spaces Protection Order or fails to comply with a requirement imposed on him or her by a Public Spaces Protection Order commits an offence contrary to section 67(2) of the Anti-social Behaviour, Crime and Policing Act 2014 and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Section 2 – Reducing the volume of music when asked to do so by an authorised officer

2.1 This Section applies to all public places within the land identified and described in Schedule 1 the "Designated Area" and imposes the prohibition contained in subsection 2.4.

2.2 The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met in that activities have been carried out within the "the Designated Area" which have had a detrimental effect on the quality of life of those in the locality, namely music has been played within the "Designated Area" which has had a detrimental impact on others.

2.3 The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities are persistent or continuing in nature, are such as to make them unreasonable, and justify the restrictions imposed by this order.

Requirements

2.4 To reduce the volume of music when requested by an authorised officer within "the Designated Area".

Offence

2.5 A person who fails without reasonable excuse to do anything that a person is prohibited from doing by a Public Spaces Protection Order or fails to comply with a requirement imposed on him or her by a Public Spaces Protection Order commits an offence contrary

to section 67(2) of the Anti-social Behaviour, Crime and Policing Act 2014 and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Exemption

2.6 This Order shall not apply where the person or persons have written permission by BCP Council

Section 3 – Urination and defecation

3.1 This Section applies to all public places within the land identified and described in Schedule 1 the "Designated Area" and imposes the prohibition contained in subsection 3.4.

3.2 The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met in that activities have been carried out within the "the Designated Area" which have had a detrimental effect on the quality of life of those in the locality namely urination and defecation in public areas.

3.3 The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities are persistent or continuing in nature, are such as to make them unreasonable, and justify the restrictions imposed by this order.

Prohibition

3.4 A person or persons must not urinate or defecate anywhere other than public toilets in the "Designated Area"

Requirements

3.5 A person must only urinate and defecate in public toilets within the "designated area."

Offence

3.6 A person who fails without reasonable excuse to do anything that a person is prohibited from doing by a Public Spaces Protection Order or fails to comply with a requirement imposed on him or her by a Public Spaces Protection Order commits an offence contrary to section 67(2) of the Anti-social Behaviour, Crime and Policing Act 2014 and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Exemption

3.7 This Order shall not apply to those who have a medical condition that directly impairs this ability.

Section 4 – Lighting fires and BBQs

1.1 This Section applies to all public places within the land identified and described in Schedule 1 the "Designated Area" and imposes the prohibition contained in subsections 1.4 to 1.5.

1.2 The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met in that activities have been carried out within the "the Designated Area" which have had a detrimental effect on the quality of life of those in the locality. The activities being the lighting of fires and BBQ's which have resulted damage to property, people and debris.

1.3 The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities are persistent or continuing in nature, are such as to make them unreasonable, and justify the restrictions imposed by this order.

Prohibition

1.4 No person(s) shall light an open fire in the "Designated Area" at any time.

1.5 No person(s) shall use a BBQ between the hours of 07:00 - 18:00 in the "Designated Area."

Requirements

1.6 If an authorised officer has reasonable grounds to believe a fire or BBQ has been, is being, or is likely to be used in conjunction with the Prohibitions at 4.4 and 4.5, they shall require the person(s) to extinguish the fire and/or BBQ with immediate effect.

Offence

1.7 A person who fails without reasonable excuse to do anything that a person is prohibited from doing by a Public Spaces Protection Order or fails to comply with a requirement imposed on him or her by a Public Spaces Protection Order commits an offence contrary to section 67(2) of the Anti-social Behaviour, Crime and Policing Act 2014 and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Exemption

1.8 This Order shall not apply to legitimate activities undertaken with the written permission of BCP Council.

1.9 The prohibitions and requirement of this order shall not apply to the proper use of any fixed permanent structure designed for the purpose of cooking or barbequing food and installed by BCP Council or following prior written permission by BCP Council having been obtained.

Section 5 – Fixed Penalty Notices

In accordance with Section 68 of the Anti-social Behaviour, Crime and Policing Act 2014, a constable or authorised person may issue a fixed penalty notice to anyone they have reason to believe has committed an offence under this Order. Such notice offers the person to whom it is issued the opportunity to discharge their liability to conviction for the offence by

payment of a fixed penalty. The penalty is set at £100.00 to be paid within 28 days but is reduced to £75.00 if paid within 14 days.

Order dated the XXXX

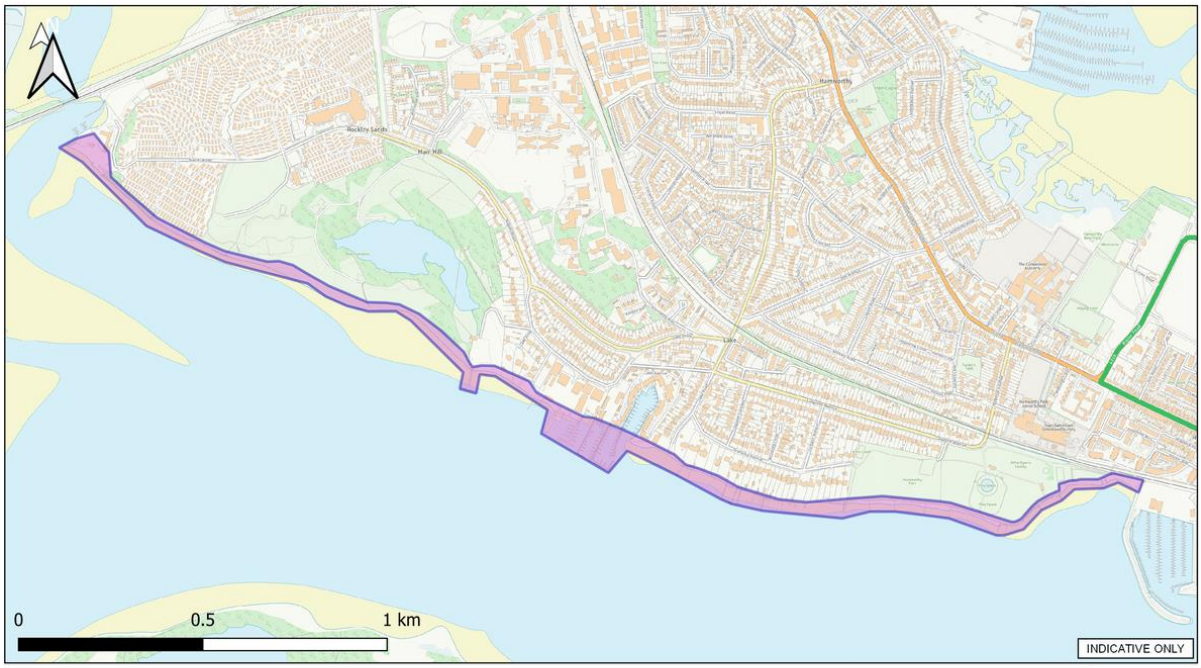
This Order expires at midnight on the XXXXX

Signed

Head of Safer Communities

Schedule 1

Map 1



GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Lake Pier to Hamworthy Park

Scale:1:11,200 True@A4L
Date: 17/01/2023

BCP Council

Map 1a

GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Inner Poole harbour (Kite beach)

Scale:1:3,190 True@A4L
Date: 12/04/2023

BCP Council

Map 2

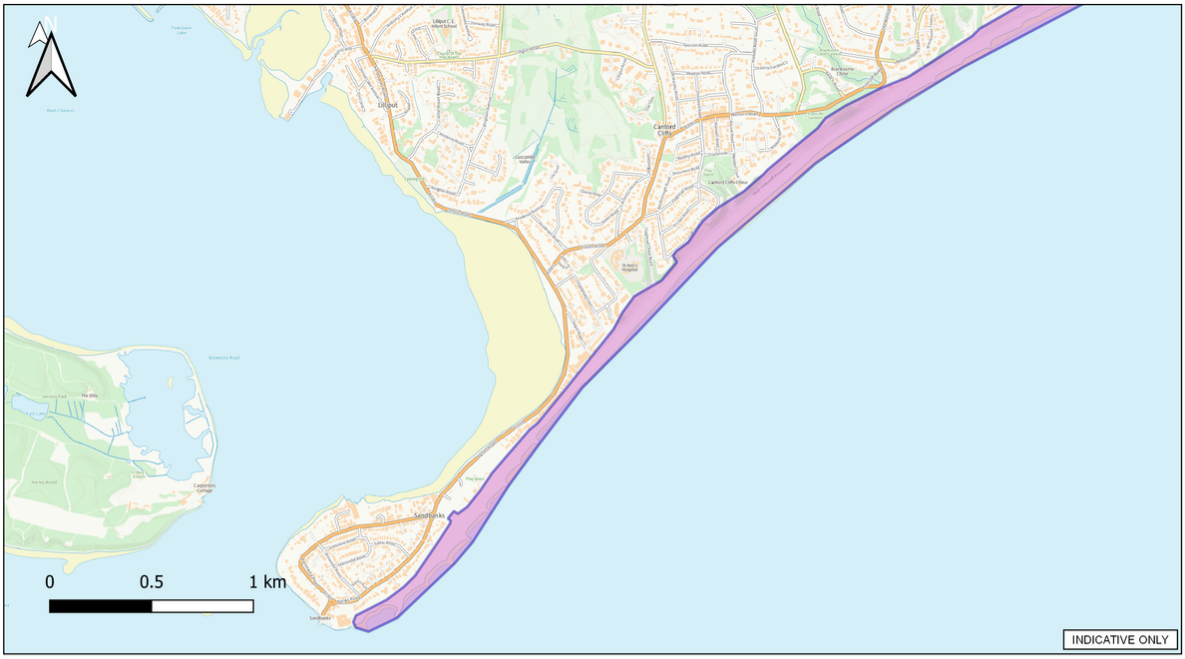
GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Sandbanks Ferry to Highcliffe

Scale: 1:68,500 True@A4L
Date: 17/01/2023

BCP Council

Map 2a



GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Sandbanks Ferry to Highcliffe

Scale: 1:20,000 True@A4L
Date: 17/01/2023

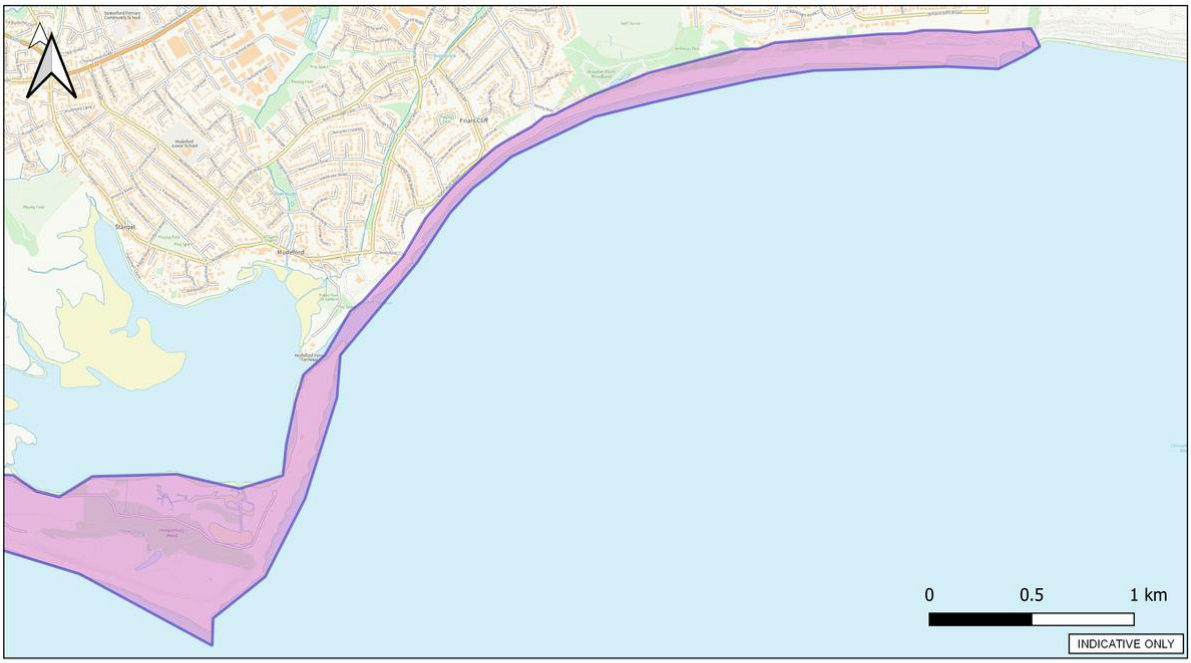
Map 2b

GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Sandbanks Ferry to Highcliffe

Scale: 1:40,000 True@A4L
Date: 17/01/2023

Map 2c



GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Sandbanks Ferry to Highcliffe

Scale: 1:20,000 True@A4L
Date: 17/01/2023

Anti-social Behaviour, Crime and Policing Act 2014

The BCP Council Open Spaces Public Spaces Protection Order 2023

BCP Council ("the Council") in exercise of its power under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) hereby makes the following order:

This Order shall be known as The BCP Council Open Spaces Public Spaces Protection Order 2023 and shall come into force on XXXX 2023 for a period of three years between 1 March and 31 October, unless extended or varied.

This Order has two sections and should be read in conjunction with the related Schedules.

Contents:-
Section 1 – Lighting any fires and BBQ's
Section 2 - Fixed Penalty Notices

Schedule 1 – Maps 1 – 20 identifying the Designated Areas outlined in black and shaded in yellow.

Definitions

In this Order the following words or phrases are defined as follows:
"Authorised Officer" means a person authorised in writing by the Council for the purposes of this Order and Dorset Police Officers and PCSO
"Designated Area" means the area outlined in black and shaded yellow on the attached maps in Schedule 1.

Section 1 – Lighting of fires and BBQ's

1. This Section applies to all public places within the land identified and described in Schedule 1 the "Designated Area" and imposes the prohibition contained in subsections 2.4 to 2.6.

2. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met in that activities have been carried out within the "the Designated Area" which have had a detrimental effect on the quality of life of those in the locality. The activities being the lighting of fires and BBQ's which have resulted in wildfires damaging habitats and resulting in restriction of access to the areas affected.

3. The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities are persistent or continuing in nature, are such as to make them unreasonable, and justify the restrictions imposed by this order.

Prohibition

4. No person shall place, throw or drop in the "Designated Area", anything likely to cause a fire.

5. No person shall light a fire, and/or barbeque (including a disposable barbecue) in the "Designated Area".

6. No person shall use any item in the “Designated Area” which either
   (i) causes a naked flame or
   (ii) poses a risk of fire.

Requirements

7. If any person within the “Designated Area” has in their possession any item which an authorised person has reasonable grounds to believe has been, is being, or is likely to be used in conjunction with the Prohibitions at 2.4 – 2.6, they shall, if and as required by the authorised person, extinguish and/or surrender the item to the authorised person.

Offence

8. A person who fails without reasonable excuse to do anything that a person is prohibited from doing by a Public Spaces Protection Order or fails to comply with a requirement imposed on him or her by a Public Spaces Protection Order commits an offence contrary to section 67(2) of the Anti-social Behaviour, Crime and Policing Act 2014 and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Exemption

9. This Order shall not apply to legitimate land management activities undertaken with the written permission of BCP Council.

Section 3 – Fixed Penalty Notices

10. In accordance with Section 68 of the Anti-social Behaviour, Crime and Policing Act 2014, a constable or authorised person may issue a fixed penalty notice to anyone they have reason to believe has committed an offence under this Order. Such notice offers the person to whom it is issued the opportunity to discharge their liability to conviction for the offence by payment of a fixed penalty. The penalty is set at £100.00 to be paid within 28 days but is reduced to £75.00 if paid within 14 days.

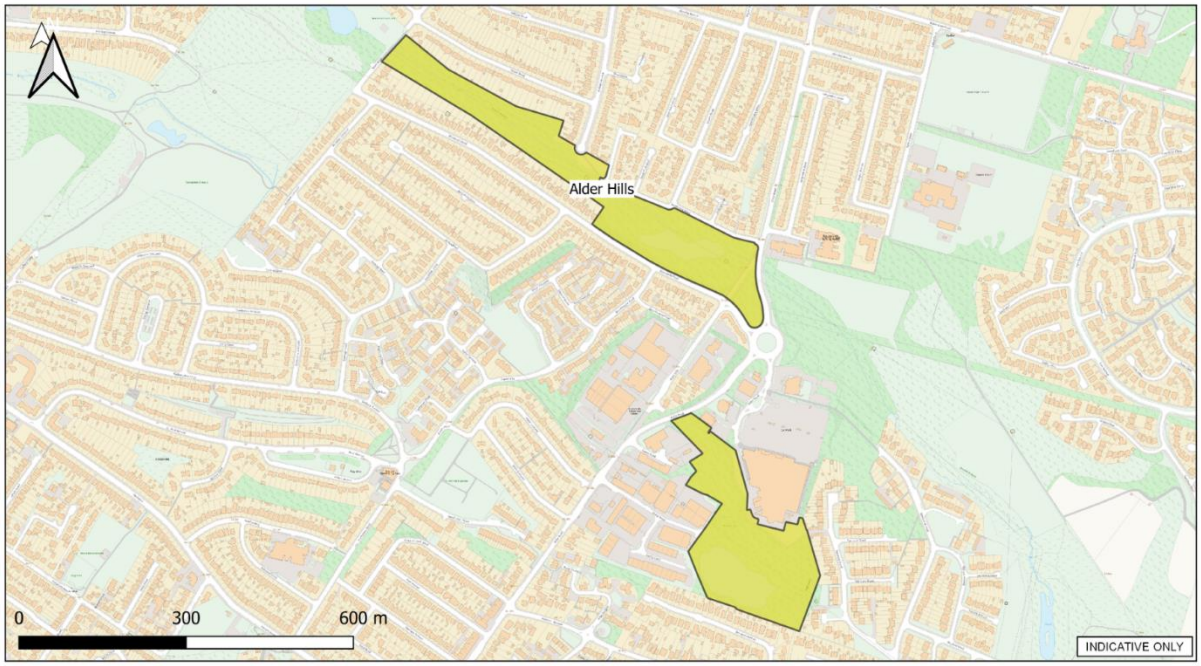
Order dated the XXXX

This Order expires at midnight on the XXXXX

Signed

Head of Safer Communities

Schedule 1
Map1

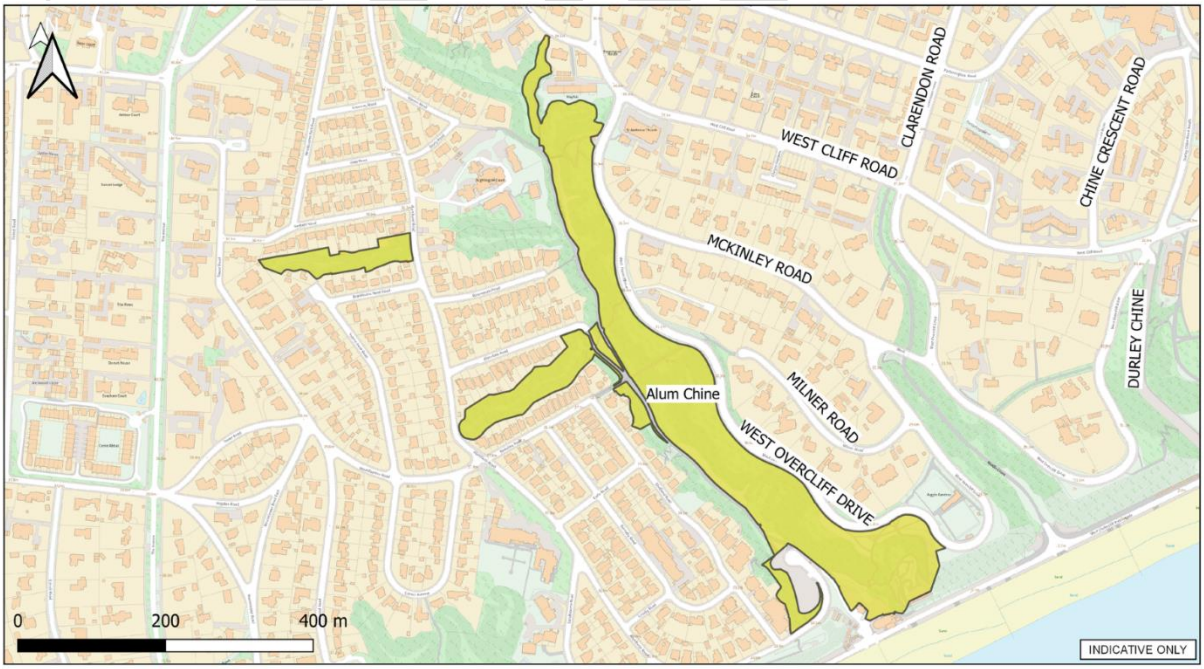


GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Alder Hills

Scale:1:7,390 True@A4L
Date: 19/01/2023

Map 2



GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Alum Chine

Scale:1:5,600 True@A4L
Date: 19/01/2023

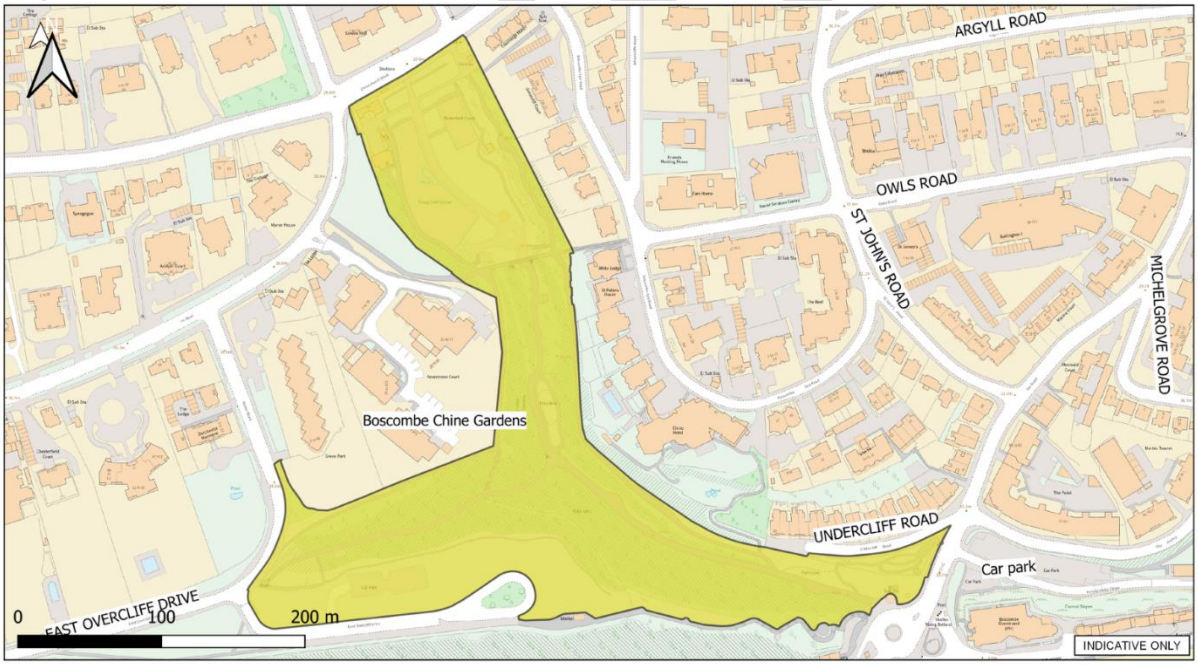
Map 3

GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Boscombe and Southbourne Overcliff

Scale: 1:4,790 True@A4L
Date: 18/01/2023

Map 4



GIS Team
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Bourne Avenue
Bournemouth
BH2 6DY

Boscombe Chine Gardens

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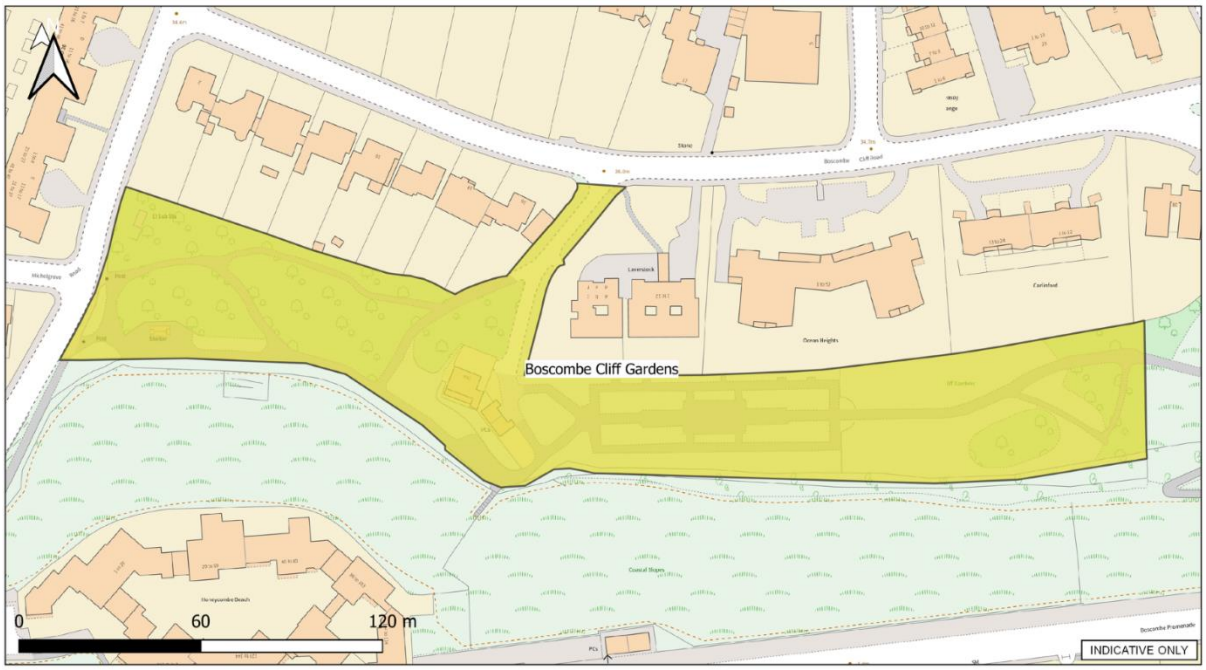
Date: 19/01/2023

Map 5



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BCP Council Civic Centre
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Bournemouth
BH2 6DY

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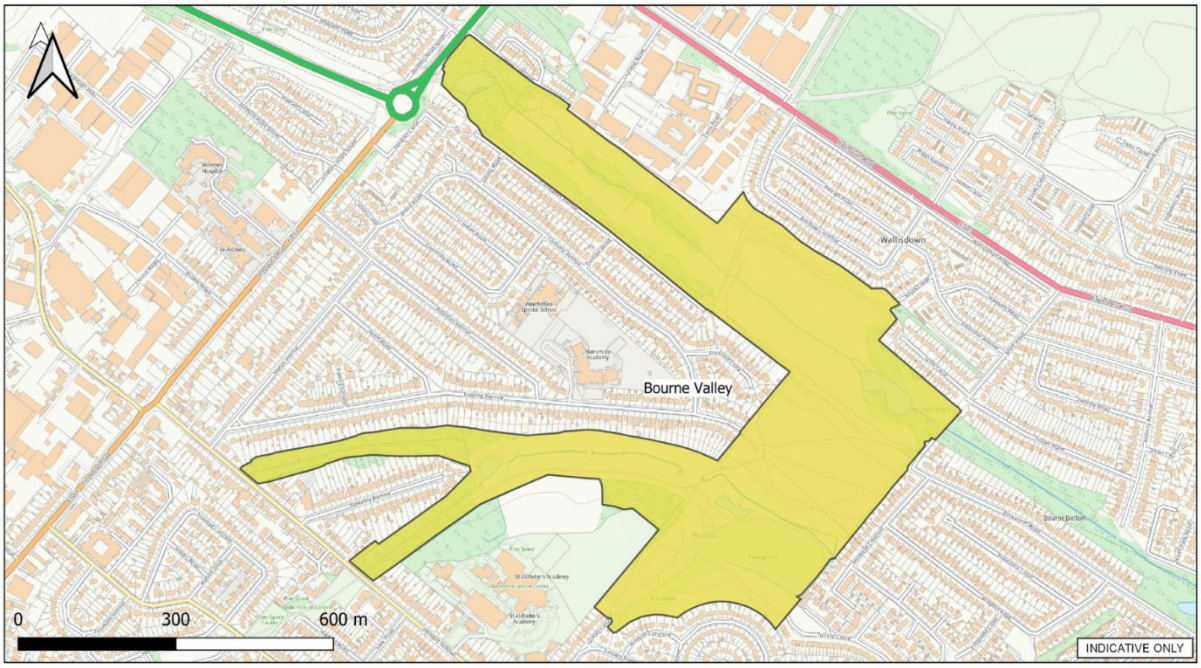
BCP Council

Map 6



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BCP Council Civic Centre
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Bournemouth
BH2 6DY

Bourne Valley

Scale:1:7,850 True@A4L
Date: 18/01/2023

BCP Council

Map 7

GIS Team
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BH2 6DY

Branksome Chine Gardens

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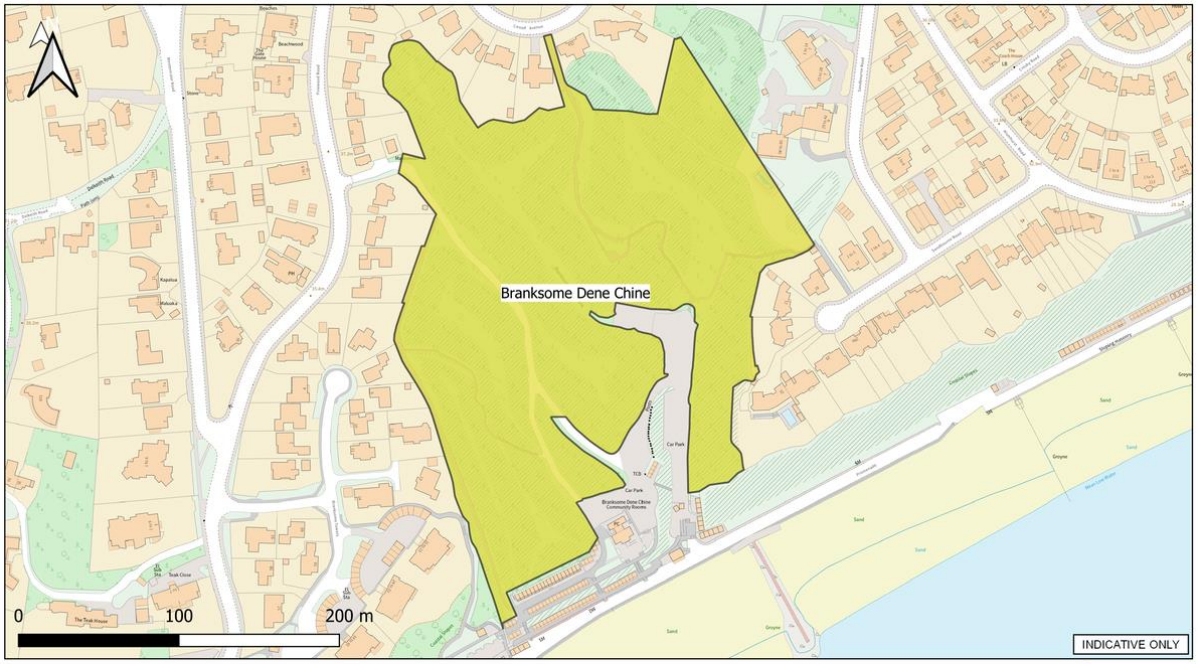
Date: 18/01/2023

BCP Council

Map 8



GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Branksome Dene Chine

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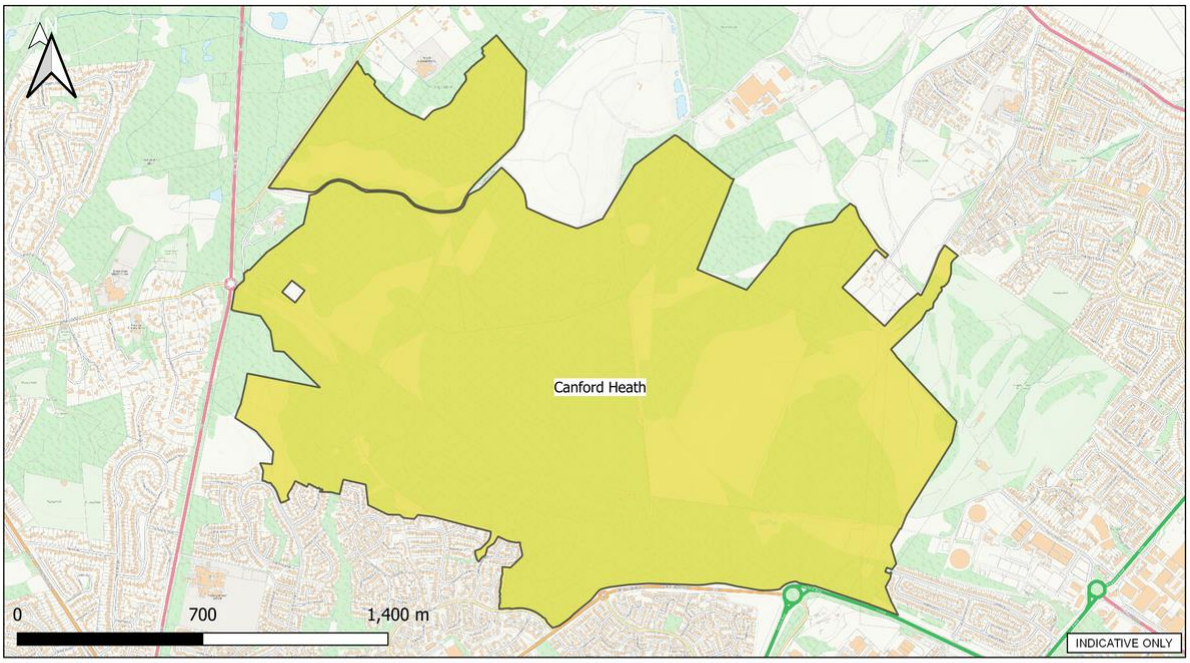
Date: 18/01/2023

BCP Council

Map 9



GIS Team
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Bourne Avenue
Bournemouth
BH2 6DY

Canford Heath

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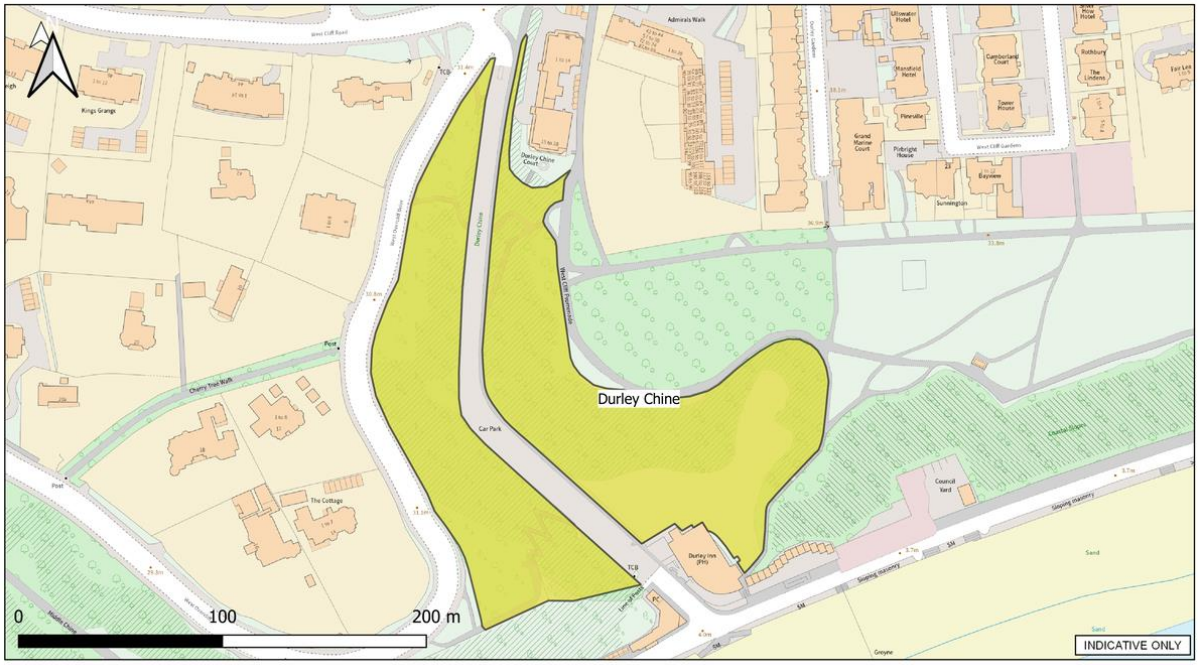
Map 10



GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Durley Chine

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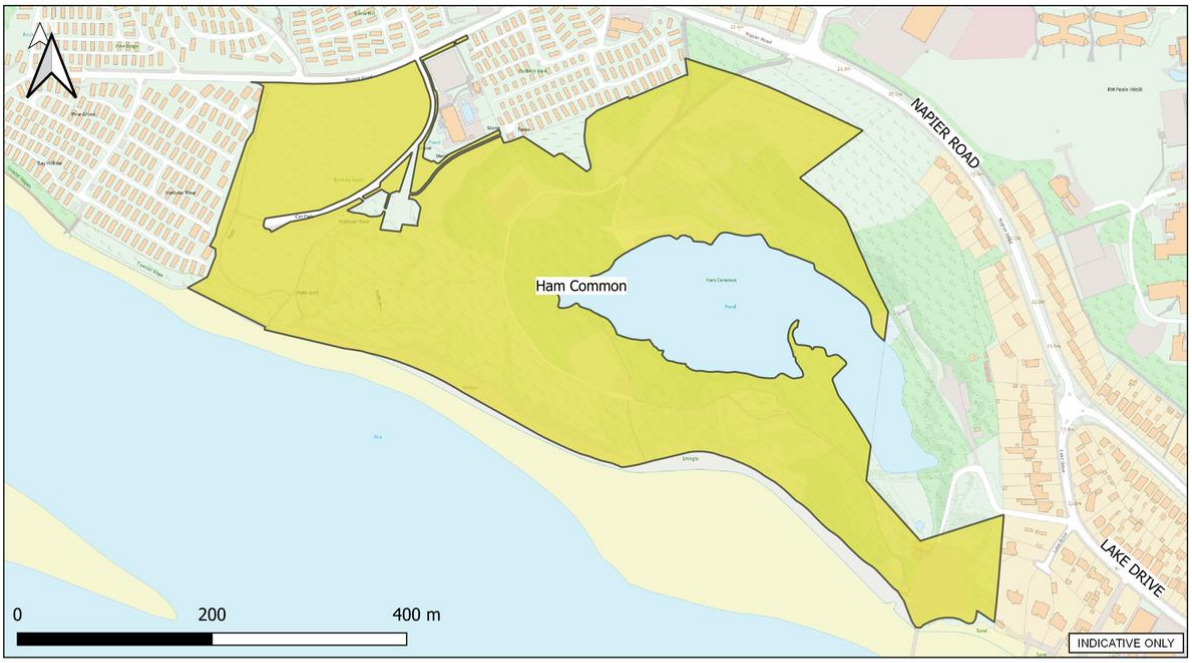
Date: 18/01/2023

Map 11



GIS Team
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Bourne Avenue
Bournemouth
BH2 6DY

Ham Common

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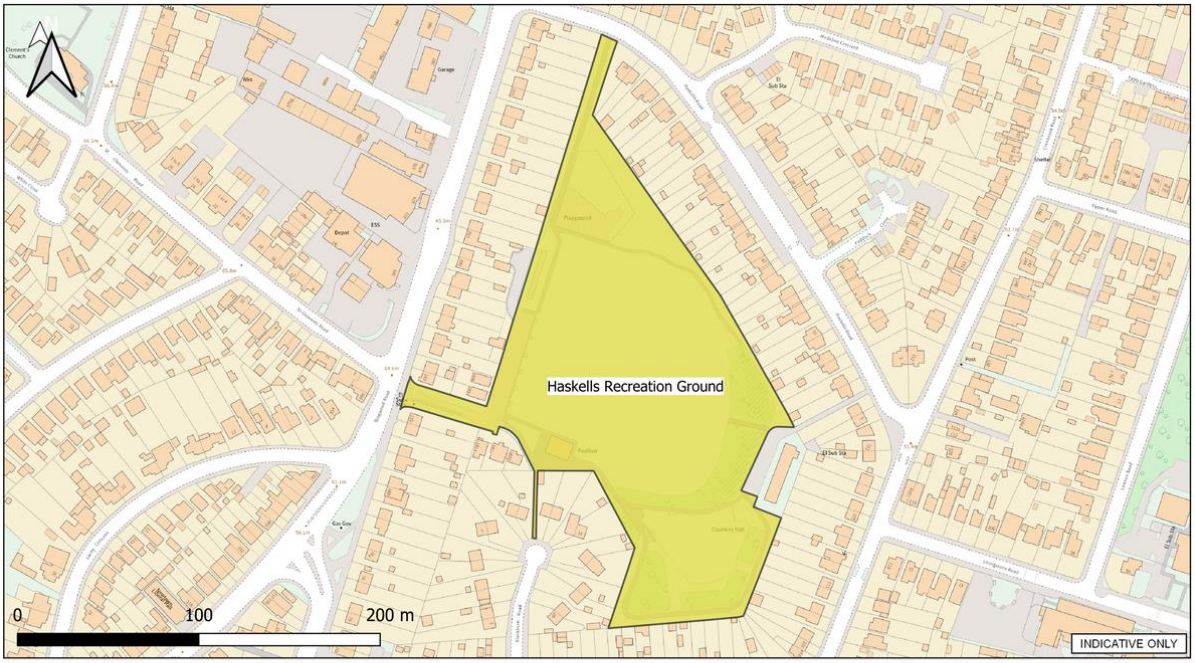
Date: 19/01/2023

Map 12



GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Haskells Recreation Ground

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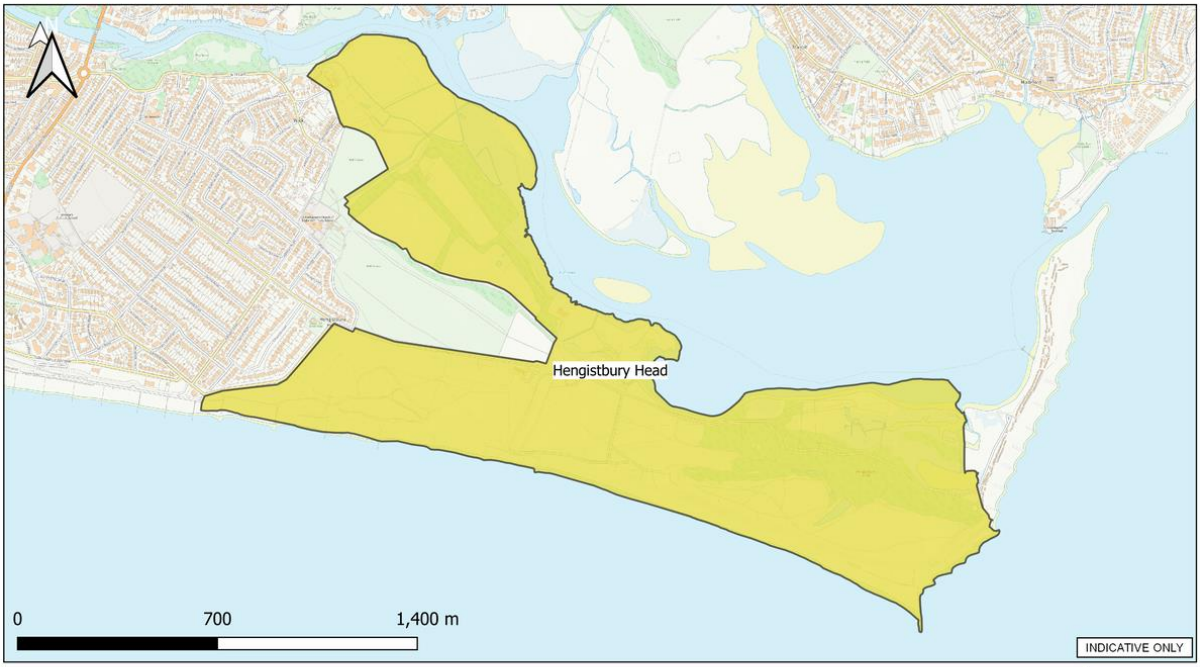
Map 13



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BCP Council Civic Centre
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Bournemouth
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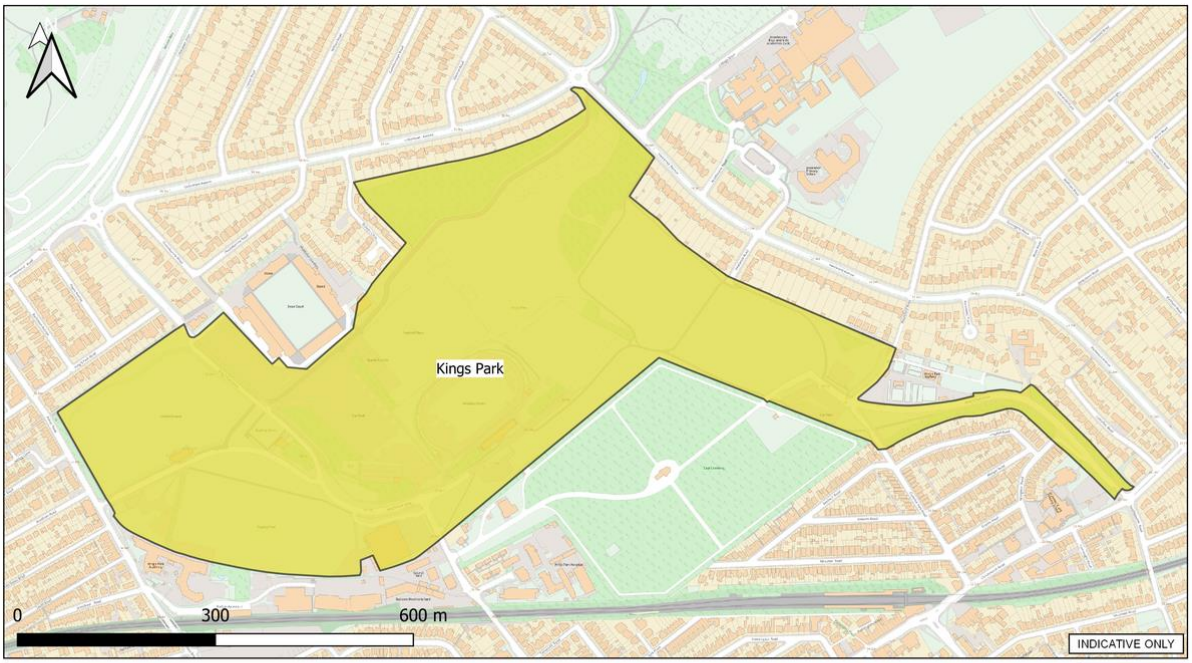
BCP Council

Map 14



GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Kings Park

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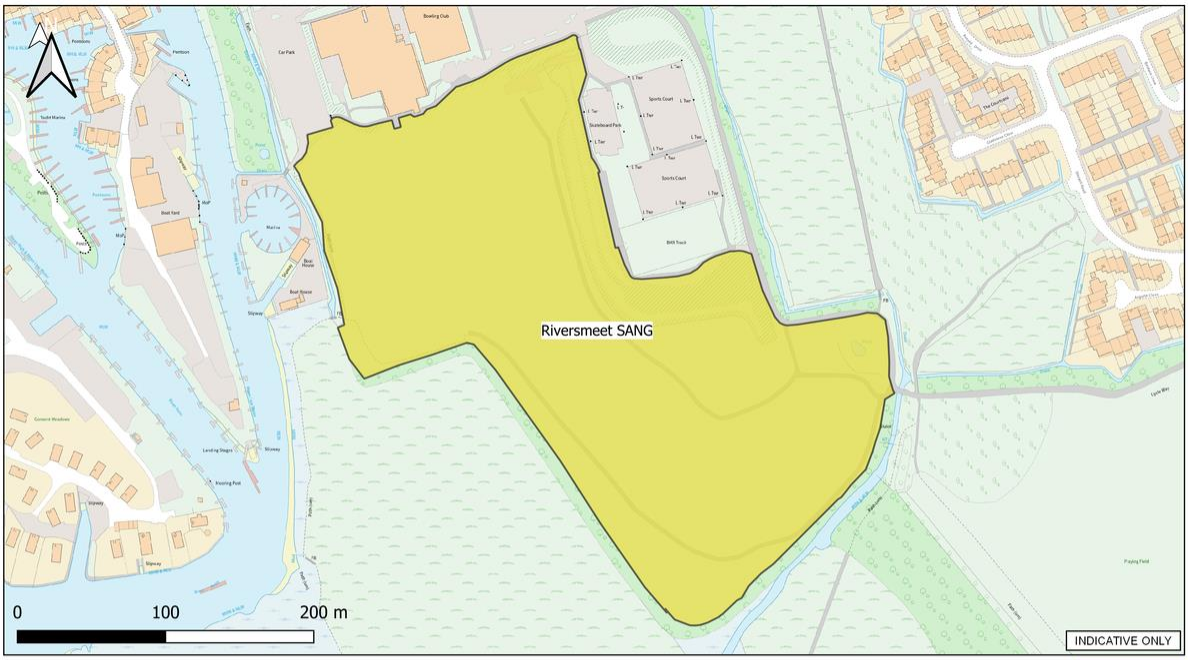
Date: 18/01/2023

BCP Council

Map 15



GIS Team
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Bourne Avenue
Bournemouth
BH2 6DY

Riversmeet SANG

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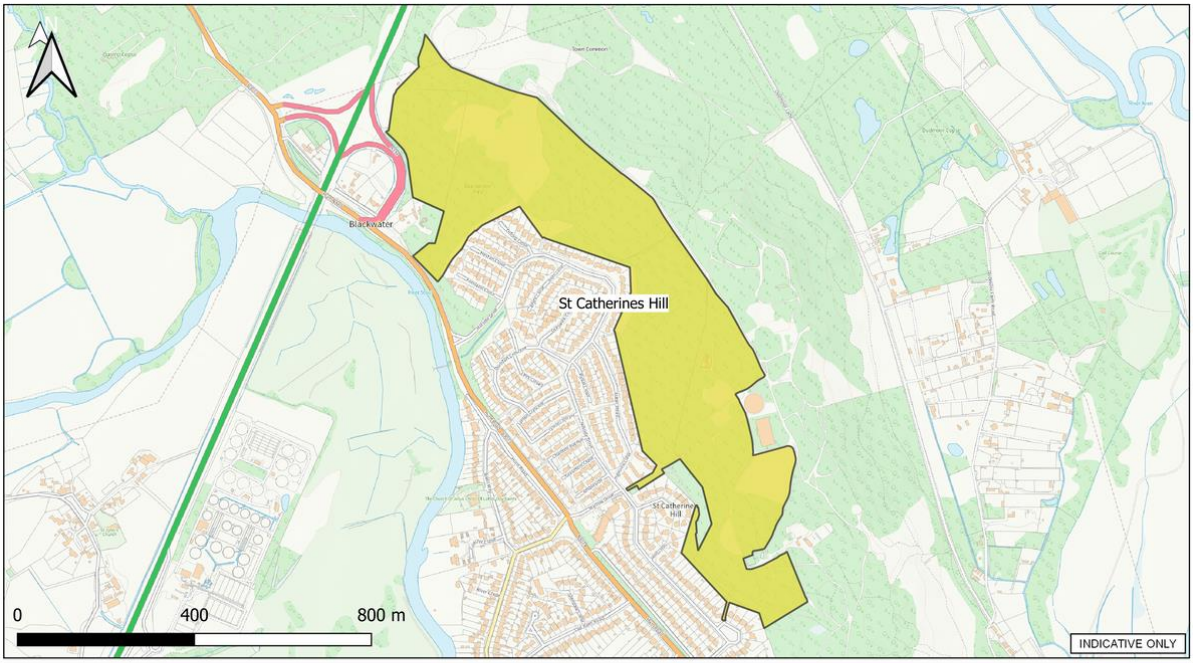
Map 16



GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

St Catherines Hill

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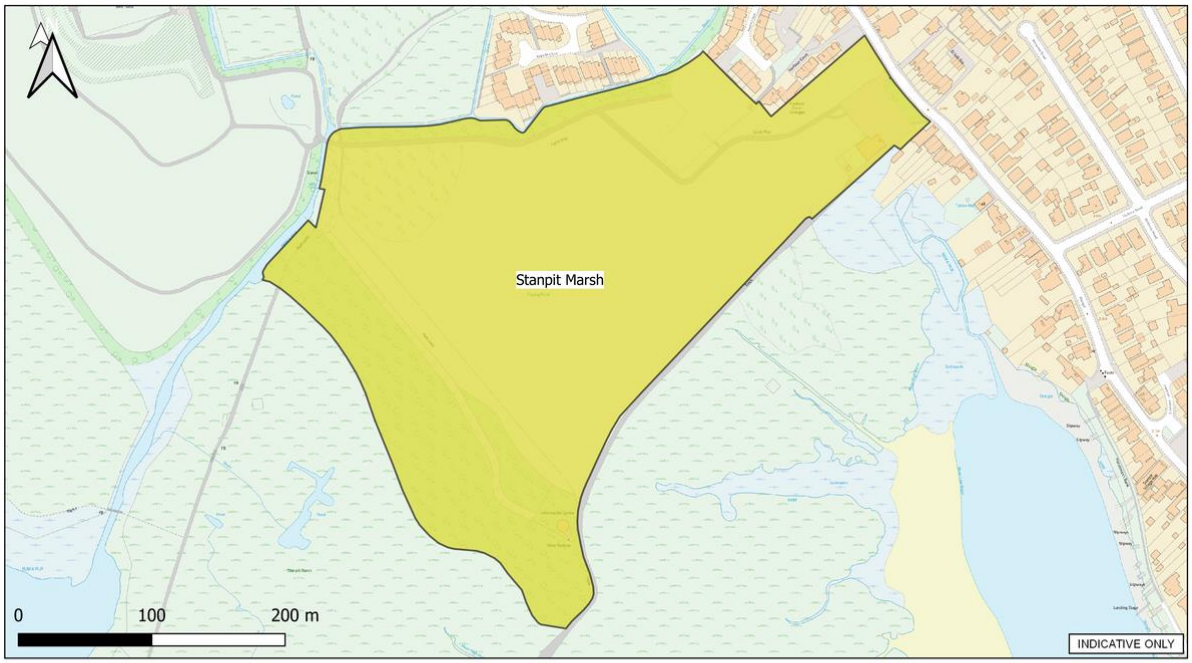
Map 17



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BCP Council Civic Centre
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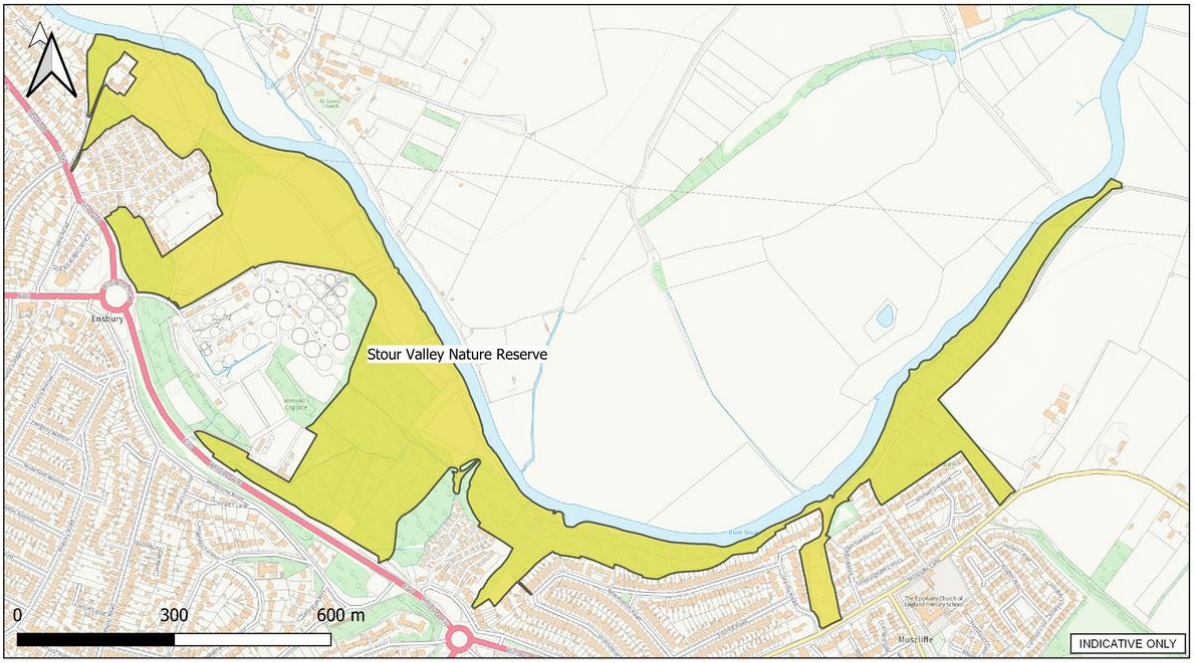
Bournemouth
BH2 6DY

Stanpit Marsh

Scale:1:3,070 True@A4L
Date: 19/01/2023

Map 18



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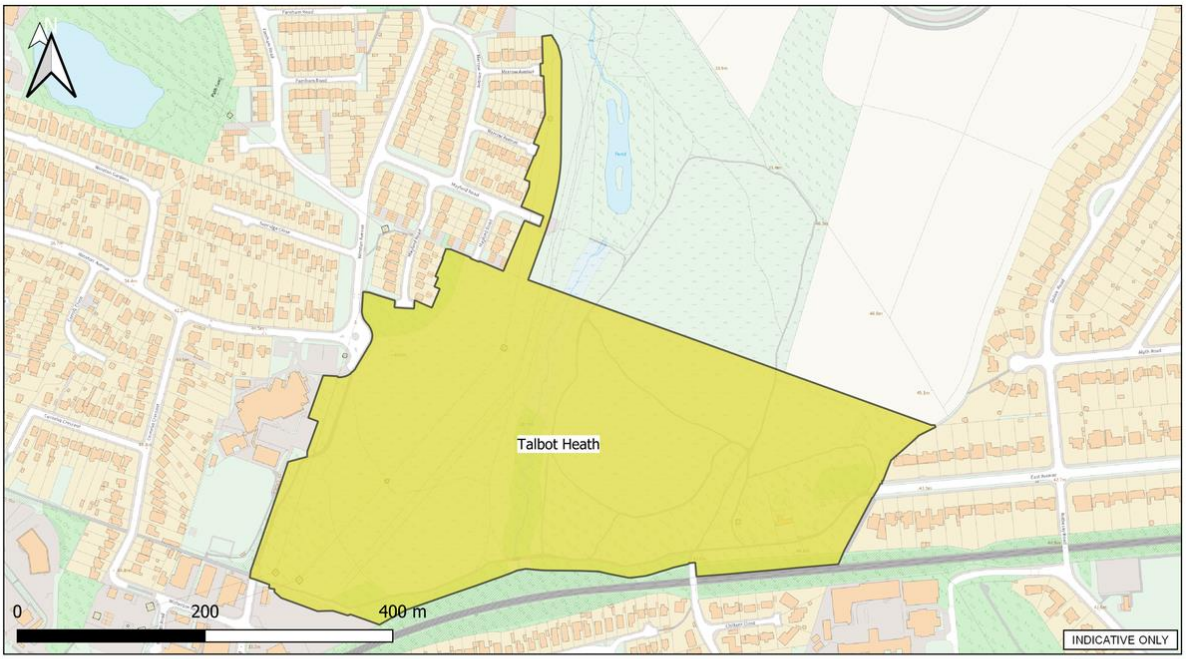
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Stour Valley Nature Reserve

Scale:1:7,850 True@A4L
Date: 18/01/2023

Map 19



GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Talbot Heath

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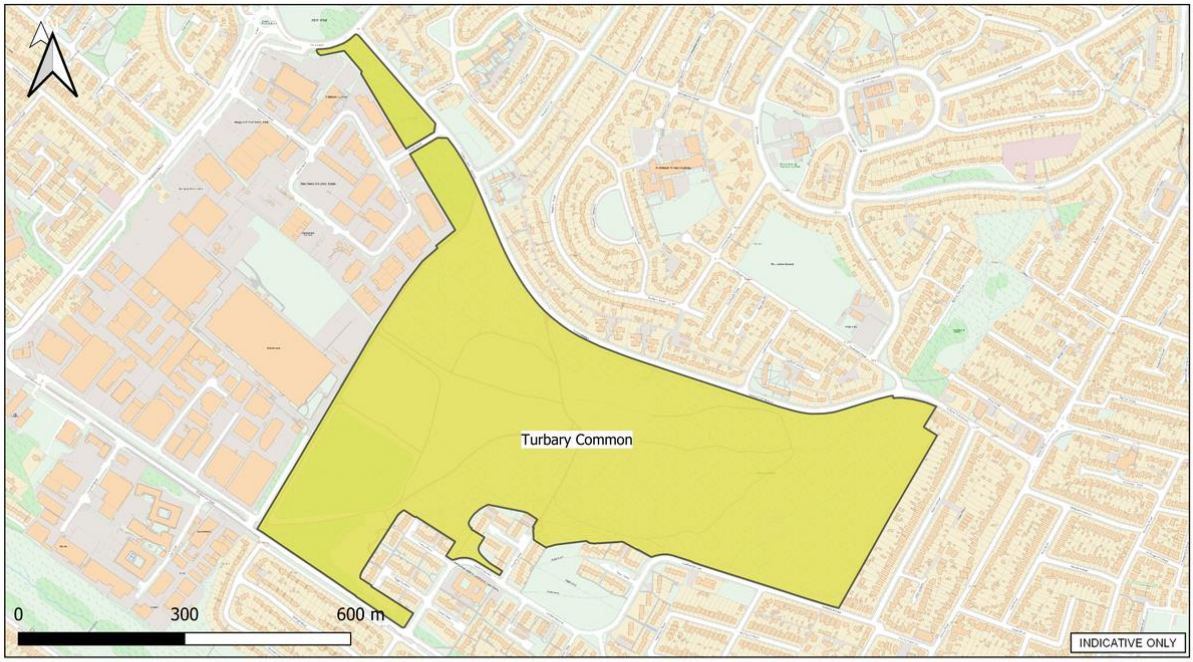
Date: 18/01/2023

Map 20



GIS Team
BCP Council Civic Centre
Bourne Avenue
Bournemouth
BH2 6DY

Turbary Common

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Date: 18/01/2023

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Equality Impact Assessment: Report and EIA Action Plan

Purpose

What is being reviewed?	Consideration for a Coastal and Open Spaces Public Spaces Protection Order (PSPO) following seasonal challenges and public consultation
Service Lead and Service Unit:	Sophie Sajic, Head of Safer Communities
People involved in EIA process:	Julia Howlett, ASB manager Johanne McNamara, Senior Litigation Lawyer Kelly Ansell, Director of Housing and Communities Nananka Randle, Interim Head of Safer Communities Cat McMillan, Head of Community Engagement & Community Safety
Date/s EIA started and reviewed:	November 2022 – July 2023

What are we proposing?

It is proposed to introduce two PSPOs which are aimed at reducing antisocial behaviour on our coastal areas and open spaces which adversely impact on the enjoyment and use of the areas by others in the locality. This will include playing loud music, acting in a manner which is antisocial and lighting fires and BBQ's.

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 activities which have had a detrimental effect on the quality of life of those in the locality and which are persistent or continuing so as to make those activities unreasonable and therefore justify the restrictions imposed. They are intended to help ensure that the majority of people can enjoy public spaces, safe from anti-social behaviour (ASB). If made a PSPO can only remain in place a maximum of 3 years with a view to varying or extending the same.

Why are we proposing these PSPO' s?

Our open spaces and coastal areas are special places enjoyed by residents and visitors. During the summer months, a number of negative behaviours presented by some individuals have impacted on our environment and the enjoyment of our beaches and open spaces by our visitors and residents. These behaviours have required significant additional resource to manage.

Our Seasonal Response Programme addressed issues as they emerged by increasing staff within key core services such as Community Safety Accreditation Service (CSAS) Officers, security, seafront and cleansing services, and targeting known hot spot areas with proactive security and staff presence.

However, without a PSPO in place it is difficult to deal with some of the anti-social behaviours that are regularly witnessed given the restricted enforcement options relating to current bylaws. The restriction of the current legislation offers limited prevention and impacts the Council's ability to deal with the issues in real time. The Council currently cannot issue a fixed penalty for someone breaking a bylaw and as a result the Council can only address the behaviour by going through a lengthy and costly court process.

A PSPO can be enforced by the issue of a Fixed Penalty Notice and if not paid then a prosecution through the Courts.

Following a review of the Seasonal Response challenges during 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.

The PSPOs would be enforced by authorised officers who will receive additional training to enable them to enforce the PSPOs and issue Fixed Penalty Notices (FPN).

We are proposing two separate PSPOs which would cover different geographical areas and different behaviours.

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, antisocial behaviour, open fires and BBQs

The council must have evidence of activities which have had a detrimental effect on the quality of life of those in the locality and which are persistent or continuing so as to make those activities unreasonable and therefore justify the restrictions imposed to be able to introduce a PSPO.

A thorough evidence analyst and review has been undertaken and We believe we have enough evidence to introduce two PSPOs in our coastal areas and some of our open spaces.

Open fires and barbeques in open spaces

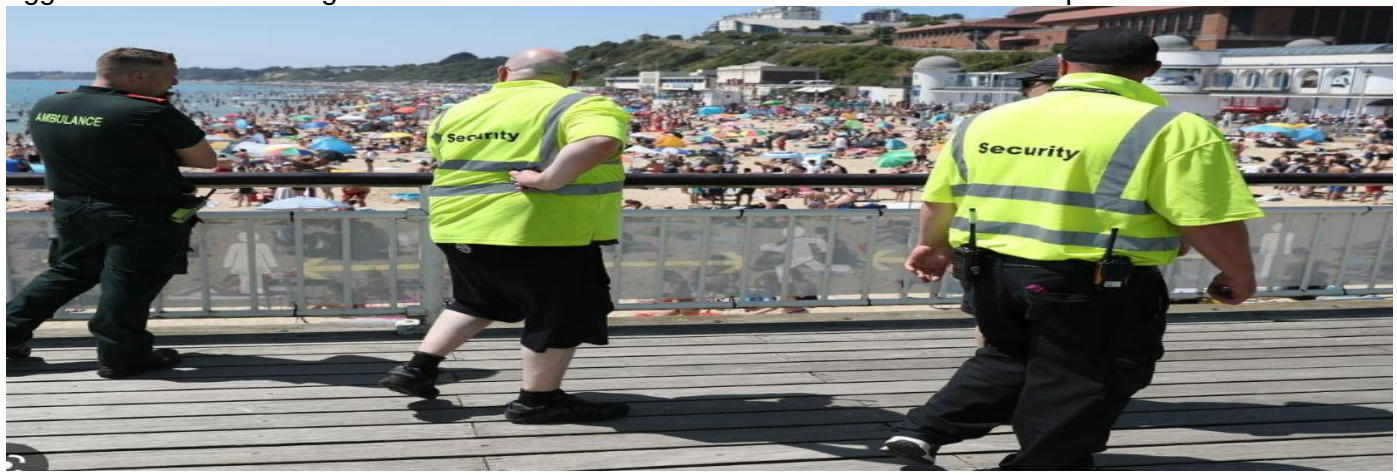
During our increasingly hot dry summer months even the most carefully set fire can quickly get out of control and cause widespread damage. The ecological damage to nature and wildlife is also immeasurable. The damage caused can prevent the use of an entire open space area for months. Dorset and Wiltshire Fire and Rescue Service were approached on this proposal and welcome any actions which would reduce the risks of wildfires during high-risk times of the year. Due to the significant amount of fires in open spaces, including 25 in one location which is proposed in the PSPO, BCP are constructing a multi-agency wildfire plan which works in support of the PSPO.

Loud music in our coastal spaces

Last summer the Council had complaints from residents and visitors about some people playing loud music on the beach. Most of the incidents were by groups of people and were associated with other anti-social behaviours which leave other beach users feeling intimidated. These incidents mainly occurred in the afternoons or evenings and whilst most were resolved informally in some cases officers reported the music resumed once they walked away. Without firmer resolution powers these incidents continued to adversely impact the enjoyment of other beach users and residents who live near the beach.

Anti-social behaviour in coastal areas

There is evidence of some incidents of anti-social behaviour in the BCP coastal areas last year which impacted on other visitors to the beach. The type of behaviour which would be banned under the PSPO proposal includes but is not limited to swearing in an aggressive manner, acting in an aggressive or intimidating manner towards others and urination and defecation in public areas.



Barbeques (BBQs) in coastal areas

The Council recognise that the beaches and coastal areas are enjoyed by lots of people who responsibly have barbeques every day. However, there is evidence of some incidents of people burying hot coals or irresponsibly discarding of disposable barbeques, which have caused injuries to beach users and damage to seafront bins.

We do not want to completely stop people from having barbeques on our beaches and coastal areas, but we need to ensure that we limit the damage and impact this activity has on beach users and services such as Dorset and Wiltshire Fire and Rescue Service and BCP seafront

rangers during peak visitor times. The proposal is to ban barbeques between 7am-6pm. After 6pm the risk of injury is reduced because there are less people on the beach, and the seafront officers can manage overseeing the safe use of barbeques and the responsible disposal of coals or disposable barbeques.

Open fires in coastal areas

Many of the open fire incidents seen last year were later in the evening. The proposed PSPO would ban open fires on the beach at all times. The

impact on the safety of beach users, including those that use the area next day when embers can still be hot, is the key focus for this prohibition. There are 3 first aid incidents of this nature in the last year as well as a number of fire service attendances. It also causes damage to the beach itself.

Summary of the evidence of complaints and incidents.

Incident reports	Number of incidents/complaints
Open spaces and heathland	
Incidents of campfires in open space (Ranger reports)	44 incidents (2022)
Dorset And Wiltshire Fire and Rescue attendance at wildfires in BCP area	120 incidents (2022)

Incidents of damage caused by BBQs and disposal	73 incidents (2022)
Coastal areas	
Incidents of anti-social behaviour	123 incidents (May - August 2022)
Fire incidents	205 fire incidents (2022)
Dorset And Wiltshire Fire and Rescue attendance at seafront fires in BCP area	32 incidents (2022)
Damage to seafront bins due to disposal of hot coals	20 incidents (2022)

A public consultation was launched on 23 January 2023 and ran until 23:59 on 19 February 2023. There is no statutory period set for this consultation and 4 weeks was deemed appropriate. A third PSPO regarding highways was also consulted on but is not being considered at this time. Further behaviours around camping were also considered but are not being progressed and therefore are not included in this report.

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.

Copies of the draft Orders were provided as part of the consultation.

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.

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.

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.

Signage was displayed in all areas to be included within the proposed PSPOs providing information and a QR code for the online consultation.

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.

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 and local businesses.

Land owners were also consulted with.

A communications plan including social media messaging was delivered during the course of the consultation.

Consultation feedback results

In total 1564 responses were received. Most respondents were residents (68%) and a quarter were visitors (24%.)

The consultation was hosted on BCP Council's engagement platform. There were 5,200 visits to the pages.

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

The 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%

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.

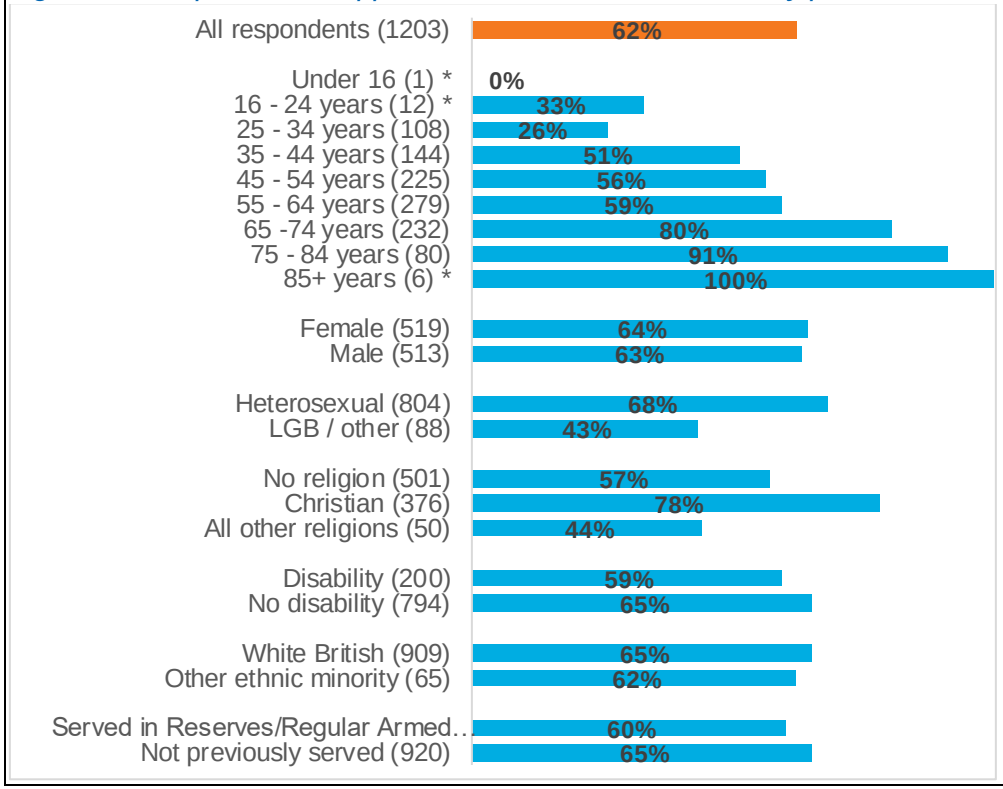
There is a balanced response rate between genders.

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.

General Response breakdown per proposed PSPO

Coastal Areas

Figure 1 – Proportion of support for a coastal areas PSPO by personal characteristic group



Overall, 62 % of respondents supported this proposal. There was no real difference between genders with support at around 63%.

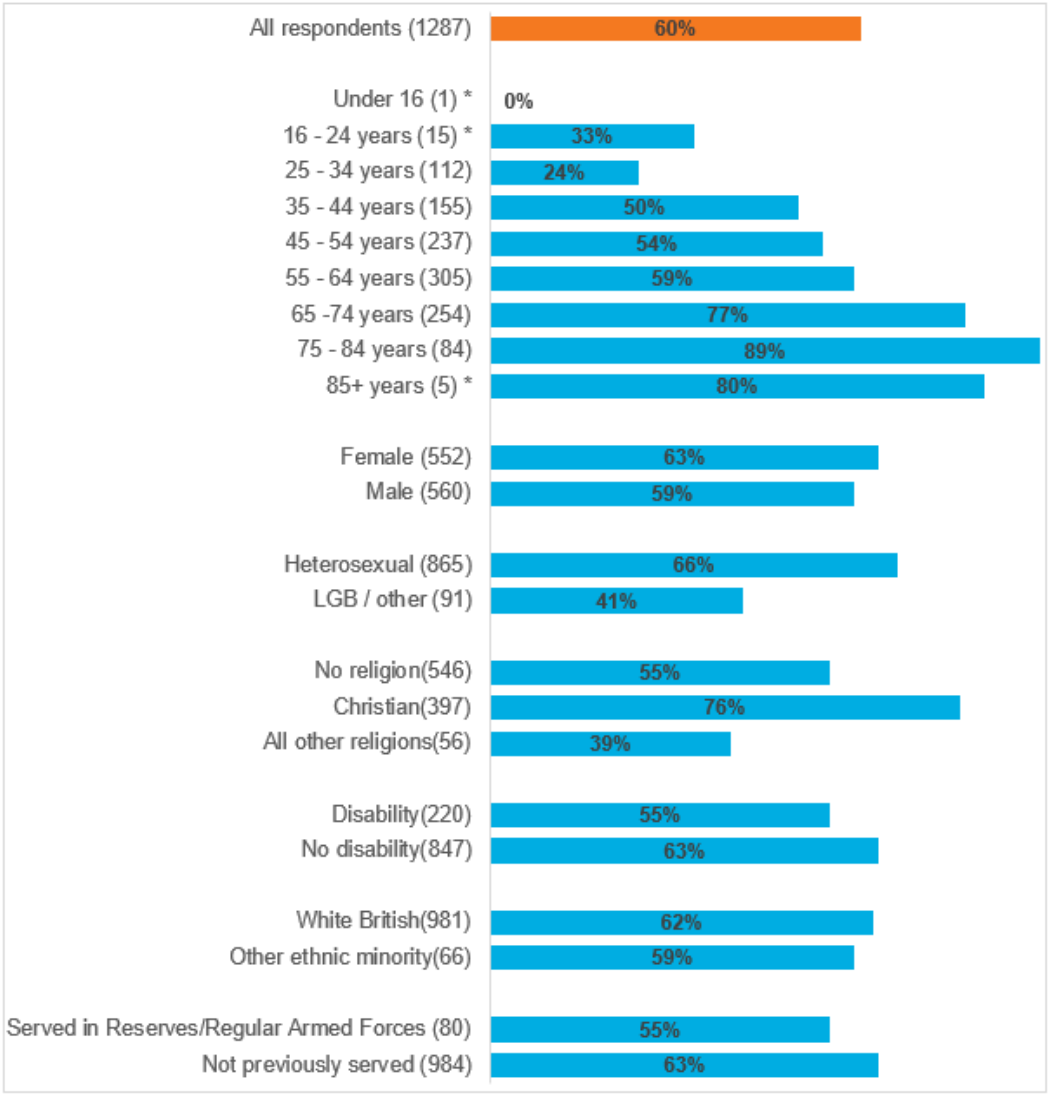
The age profile shows greatest support in those aged 45 at 56% rising to 100% in those aged over 85. There was significantly less support in those ages below 25 at just 26% in support. This may be due to the perception that the behaviours are targeted at behaviours that are anecdotally more likely to be undertaken by young people.

Respondents who are heterosexual are significantly more likely to support a PSPO in coastal areas (68%) compared to those who are lesbian, gay, bisexual or other sexual orientation (43%.) 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 34 are more likely to not support the principle of introducing a PSPO in coastal areas, whereas those over the age of 35 are more likely to support it.

Christians are significantly likely to support the proposal at 78% with others from no religion not supporting the proposals at 57%.

Open Spaces

Figure 3 – Support for an open spaces PSPO by personal characteristic group



Base: As labelled

Overall, 60 % of respondents supported this proposal. There was no real difference between genders with support at around 61%.

The age profile shows greatest support in those aged 45 – 54 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.

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.

Christians are significantly likely to support the proposal at 76% with others from no religions not supporting the proposals at 61%.

Each proposed prohibition was considered.

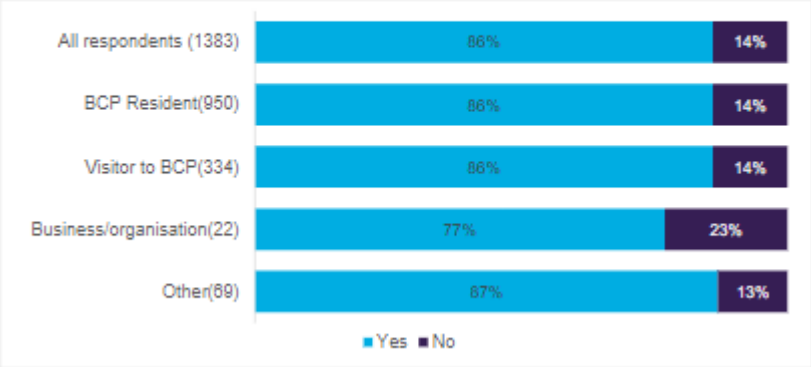
Proposed prohibition: Playing loud music to include amplified or acoustic instruments or singing at levels which has a detrimental impact on others within the designated area covered by the PSPO. (Coastal PSPO)
Although the evidence does not identify significant numbers, the disruption caused by inconsiderate music or noise has wider impacts on residents, beach users or those in beach huts. Evidence also shows the impact on wider anti-social behaviours from this activity. The majority of incidents were resolved informally.

However, in some cases officers reported the music resumed once they walked away and without firmer resolution powers these incidents continued to adversely impact those in the vicinity and disturbed sleeping and enjoyment of the beach areas. Some incidents occurred in locations away from the seafront in car parks where vehicles were being used for overnight sleeping.

The purpose of the PSPO is to tackle activities which have a detrimental impact on others in the area so making those activities unreasonable. The Authorised Officers tasked with upholding the PSPO will receive training to ensure the use of powers is restricted to necessary actions only, and this will exclude taking action on any organised events or protests which may result in loud music or the use of loudspeakers.

Playing loud music which has a detrimental impact on others

Figure 21 – Support/non-support for a ban on playing loud music which has a detrimental impact on others by respondent type



Generally, the restriction and targeting of this behaviour when it adversely impacts on others is supported by over 75% of all respondents.

The ages of respondents do indicate that the proposal may impact on younger people more than older respondents. Most respondents in all age groups support the proposal with the exception of those aged 16-24 where 56% do not support it.

It is not the aim or purpose of the prohibition to stop the playing of any music it will only target those instances where the activity is deemed unreasonable to the Authorised Officers following complaints from those in the locality.

There were 8 comments which centred around the level of music played which impacted on others and that loud music and sound travels. It is proposed to include this condition within a PSPO, however, the proposed clause will be "*must turn music down when asked to by an authorised officer."* Singing will be removed from the condition due to the subjective nature and limitations on it being an intrusive behaviour.

Loud music may be used for religious celebrations or protests and therefore in these instances, engagement and education will be the primary action, with requests to reduce volume where it is significantly intrusive to those in the locality. Evidence does not show that there will be a disproportionate impact on those protesting or expressing religious belief.

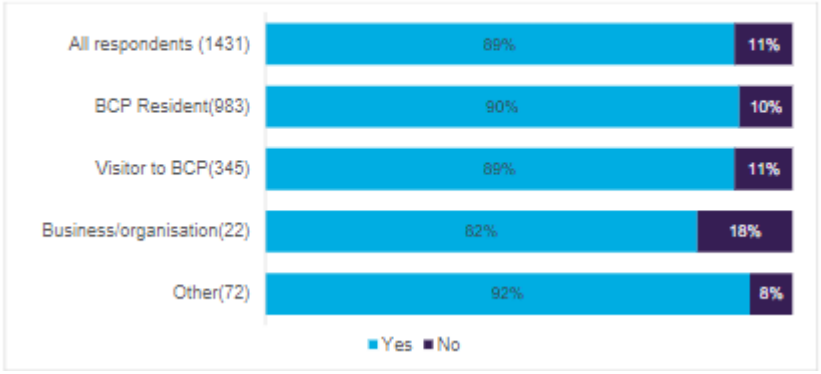
Proposed prohibition; To act in a manner which has a detrimental impact on others in the locality which includes but is not limited to, swearing, spitting, and causing intimidation either by an individual or a group. (Coastal PSPO)

A large number of incidents relate to groups of people who had been drinking alcohol and the resulting fights or arguments. Whilst not all these behaviours relate to consumption of alcohol, it is important to note that there is already a PSPO in place within parts of BCP to address issues with alcohol consumption and related ASB. However, the associated behaviours can manifest in a broad area and inclusion within this PSPO will address the wider impacts and will support enforcement where drivers are not related to the consumption of alcohol.

Larger groups of people tend to be perceived as intimidating and if displaying aggressive or antisocial behaviour, reports show these impact on the enjoyment of the beach areas for others, particularly families with young children and those with beach huts who cannot move away.

This proposed prohibition also gives officers the opportunity to request those not ceasing antisocial behaviour to leave the area without relying on Police attendance and use of their powers.

Figure 23 – Support/non-support for a ban on acting in an anti-social manner which has a detrimental impact on others by respondent type



Generally, the restriction and targeting of this behaviour when it adversely impacts on others is supported by over 85% of all respondents.

This proposal was largely supported by all age groups with 55% of those aged 16-24 in support and 100% of those aged 75 and over in support.

The age of respondents does indicate that the proposal may impact on younger people, however there is a majority of support within all age groups for this proposal.

It is not the intention of the PSPO to prevent any social gatherings or stop people coming the beach or open spaces, however, it is intended that where individual's actions are adversely impacting on those in the area which mean complaints are being generated to Authorised Officers, then engagement will take place.

ASB 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.

The proposed prohibitions in line with the consultation response are:
-must not act in an aggressive or intimidating manner or encourage others to do so, towards other people, including but not limited to swearing in an aggressive manner
-must not urinate or defecate anywhere other than public toilets

The condition around urination and defecation may impact those with medical conditions, however, this would be considered a reasonable excuse and support will be offered. This may also affect young children, a group who would not be subject to enforcement and would be considered a reasonable excuse.

Proposed prohibition; In open spaces a person or persons are prohibited from the following activities: the lighting of fires; lighting any barbecues; or using any article/object which causes a naked flame, and which poses a risk of fire. (Open space PSPO)

The following proposed prohibitions address the lighting of fires and BBQs in order to address risks relating to fire and injury.

There are two options proposed as the locations require different approaches. Our open spaces represent a high risk of wildfires that can cover large areas, whereas our coastal areas are more at risk from smaller contained fires. It is acknowledged that there may be strong public opinion in relation to these proposals and this will be a key factor in considering any final proposed PSPO following consultation feedback.

Figure 6 – Support/non-support for a ban on lighting any open fires by respondent type

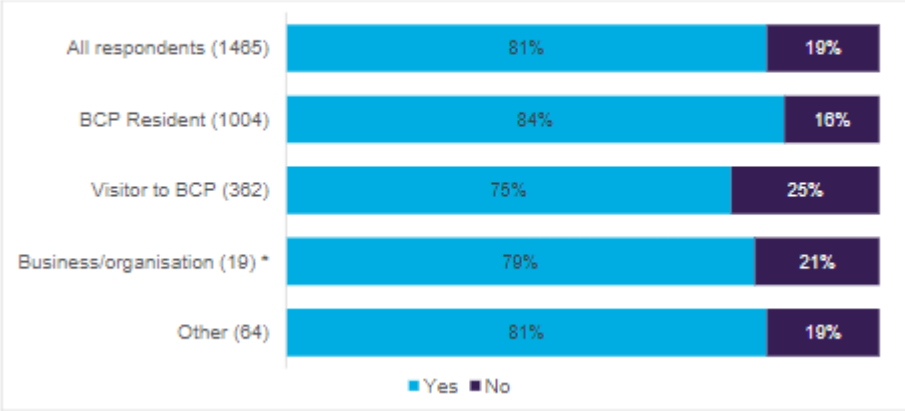
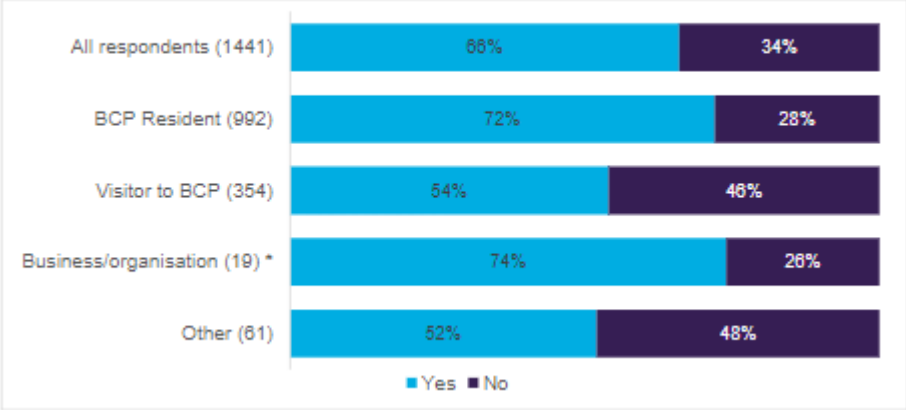


Figure 8 – Support/non-support for a ban on lighting any barbeques



Residents support this ban more than visitors; this still means that over half of visitors (54%) support the ban and so do residents (72%) and business (74%.)

The ban on open fires was widely supported by both visitors and residents. 40 respondents commented on the risks of open fires to wildlife and habitats. Although support for the ban of BBQs was lower there was still over 2/3 of respondents in support of both proposed bans.

BCP open spaces are valuable assets for all to enjoy, and during our increasingly hot dry summer months even the most carefully set fire can quickly get out of control and cause widespread damage, and impact adversely on local residents and visitors. The damage caused can prevent the use of entire open areas for months. The ecological damage to flora and fauna is also immeasurable.

Dorset and Wiltshire Fire and Rescue Service were approached and strongly support this proposal and welcome any actions which will reduce the risks of fires during high-risk times of the year.

Ranger reports evidence discarded cigarettes found smouldering, risks from camping stoves used in high-risk areas. This supports the proposed prohibitions to include items that can cause a naked flame and poses a risk of fire.

There is a possibility that the prohibition of fires will impact on those that are homeless, to include veterans, however, where this is the case the stance will be education, engagement and support by relevant agencies. Due to the nature of fire risk, people will still be asked to extinguish the fire, however, wider consideration and support will be offered, especially in winter months.

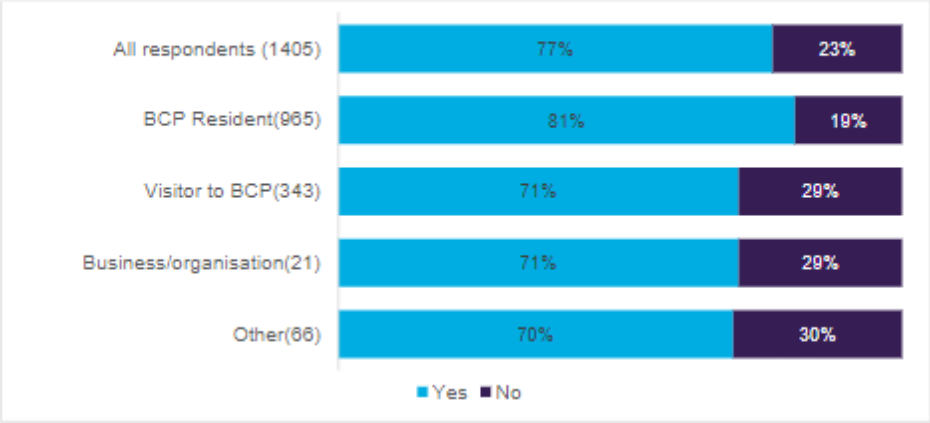
Proposed prohibition; On beaches and coastal areas a person or persons are prohibited from having open fires between the hours of 21:00 – 07:00. In addition, there shall be no BBQ on the beach or coastal area before 18:00. (Coastal PSPO)

Generally, the irresponsible disposal of BBQ's and hot coals has caused fires in and around waste receptacles on the seafront. This puts pressure on the emergency services as well as adversely impacting on visitors and residents in the vicinity.

The persistent issues throughout the summer months demonstrates a need to address this behaviour. It is recognised that many visitors and residents have BBQ's on the beach without incident, it is the disposal of the embers or throwing away of hot disposable BBQ's that causes fires and injuries.

One option explored was the provision of bins specifically for the proper disposal of BBQ coals/disposable BBQ's. Seafront services advise that this was a provision historically, but these bins suffered damage (weather and hot coal related) over the years and are not a viable option due to the nature of current waste removal contracts.

Figure 27 – Support/non-support for a ban on lighting any open fires by respondent type



Do you think a ban on lighting barbeques between 7am-6pm should be included within the coastal area PSPO?

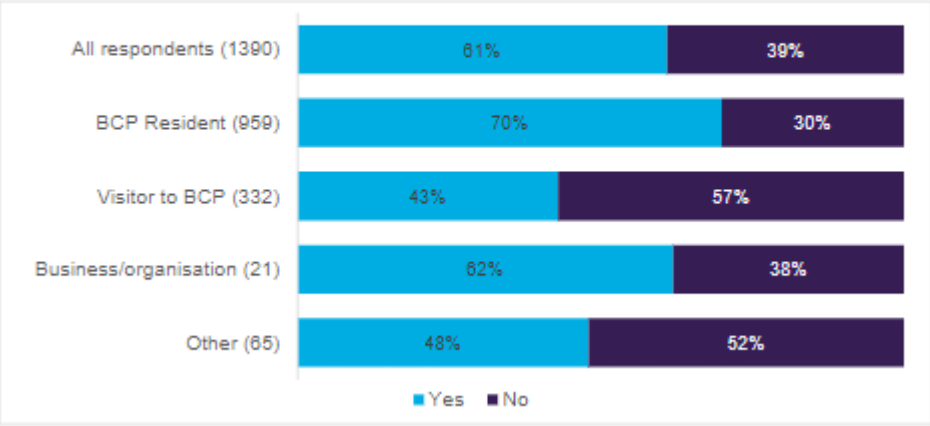


Figure 31 – Do you think the ban should be in place at a different time of day?

Generally, the proposal to ban open fires was supported by 77% of respondents. There was a high level of support across all respondent type with the exception of those aged under 34 who were less likely to support this proposal.

The restriction of BBQs has support of 61% of all respondents there was less support amongst visitors (43%) compared to residents (43%) of visitors. Those aged 34 or under were also less likely to support this ban. Across all respondents (35%) supported a complete ban on BBQ at any time whilst over a quarter (29%) are happy with the proposal.

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 8 pm.

The majority of comments made about this PSPO were related to open fires and BBQs (575.) In addition to the 42 comments about Mudeford Split, relating to the inclusion within the PSPO, there were 44 respondents who commented that beach hut users should be exempt on open fires and BBQ, especially on Mudeford Spit, as this is a residential beach and beach hut residents rely on this as the only form of cooking. It is proposed to allow gas BBQs and electric stoves in this area only.

It is recognised that some residents do not have access to gardens and as such benefit from the ability to use the beach location for BBQ's, limiting the permitted times BBQ are permitted on the beaches may impact disproportionally to those without gardens. Residents who are more likely to live in homes without gardens are more likely to be in younger residents who are more likely to live in flats or still at home with parents etc.

In mitigation there are electric hotplate BBQ's available on the seafronts in key locations and the restriction does allow BBQs at quiet periods after 6pm.

Seafront services report that during high visitor periods, primarily during the day before 6pm, the sheer number of people on the beaches means it is not possible to effectively 'manage' BBQ usage and it is during these periods that the risks of injury are increased. Later, after 6pm when numbers have reduced, BBQ's can be permitted and allows seafront staff to target resources as necessary. When visitor numbers have reduced and there is greater spacing between visitors the seafront services can manage the responsible use of BBQ's.

Larger, non-contained, fires on the beach leave debris and waste in the vicinity associated with the later night party activities and fires on the beach during the summer months. The evidence shows the main issues with fires are between the hours of 9pm and 2am when people have been drinking alcohol and are less responsible in the disposal of coals.

There is a possibility that the prohibition of fires will impact on those that are homeless, to include veterans, however, where this is the case the stance will be education, engagement and support by relevant agencies. Due to the nature of fire risk, people will still be asked to extinguish the fire, however, wider consideration and support will be offered, especially in winter months.

Antisocial Behaviour

Anti-Social Behaviour (ASB) is a confusing term which has been variously applied to a wide spectrum of activity, from serious criminal violence and persistent ongoing intimidation and harassment at one end of the spectrum, to subjective feelings of unease caused by relatively minor and perhaps occasional environmental disturbances, such as litter, at the other.

Due to its very nature ASB cannot be prevented and tackled by just one agency. It needs a joined up, partnership approach, which may require assistance from residents, the Council, Police, housing providers, public health, support services and third sector/voluntary organisations.

ASB may be committed by individuals or groups and may affect individuals, neighbours or whole communities. As per national guidelines, incidents of ASB are categorised as Personal, Nuisance or Environmental.

Personal is designed to identify ASB incidents that the caller, call-handler or anyone else perceives as either deliberately targeted at an individual or group or having an impact on an individual or group rather than the community at large. It includes incidents that cause concern, stress, disquiet and/or irritation through to incidents which have a serious adverse impact on people's quality of life.

Nuisance captures those incidents where an act, condition, thing or person causes trouble, annoyance, inconvenience, offence or suffering to the local community in general rather than to individual victims. It includes incidents where behaviour goes beyond the conventional bounds of acceptability and interferes with public interests including health, safety and quality of life.

Environmental deals with the interface between people and places. It includes incidents where individuals and groups have an impact on their surroundings including natural, built and social environments. This category is about encouraging reasonable behaviour whilst managing and protecting the various environments so that people can enjoy their own private spaces as well as shared or public spaces.

It is recognised that the impact of ASB on victims can be extremely harmful. This can be made worse should the victim have any vulnerabilities, as this can have a significant impact on their health, wellbeing and resilience to deal with issue.

Recent studies, completed on behalf of crime and disorder partnerships in Surrey and Hampshire, have suggested that young people gather in groups at night because it makes them feel more secure. Conversely, such gatherings are perceived by some communities and sectors of the community as being intimidatory and a significant element of ASB.

The perception of behaviours is important to note. Particularly given the age profile of respondents to the public consultation. Generally, for all behaviours those aged 35 and above were more likely to support the proposed PSPOs then those aged below 35.

Studies by Cambridge University identified the interpretations of anti-social behaviour (ASB) found a significant gap between the views of different age groups - with older people more likely than younger people to interpret public behaviour as anti-social, particularly when associated with young people.

More than 80% of adults thought swearing in a public place was ASB, compared with less than 43% of young people, and more than 60% of adults listed cycling or skateboarding on the street, compared with less than 8% of young people.

40% of adults saw young people hanging around as ASB compared with 9% of teenagers.
(Generation blame: how age affects our views of anti-social behaviour | University of Cambridge)

Some studies suggest that teenagers and younger people are more likely to be victims and perpetrators of Hate Crime and other anti-social behaviour.

The PSPO may provide positive and negative impacts on younger and older people, if they are involved in ASB there will be consequences to their behaviour. Adults may be issued a FPN and young people will be referred to the escalation process: Community Consequence Scheme.

There will be positive impacts for victims of ASB, regardless of age. They will witness action being taken to deter the behaviour.

Who could be impacted by the proposed PSPO' s?

Through the consultation responses we can see that residents over the age of 35 are more in favour of the proposals compared to those under the age of 35. This could be due to the younger age groups are more likely to live in tenure with limited outside space (e.g. flats, or still at home with parents) and are more likely to want to use open spaces and coastal areas to socialise with friends which may involve, playing music, having bar b ques etc.

Public Sector Equality Duty

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act

- Advancing equality of opportunity between those with 'protected characteristics' and those without them

- Fostering good relations between those with 'protected characteristics' and those without them.

Protected Characteristics are defined in S4 of the Equality Act 2010 as

- age
- gender reassignment
- being married or in a civil partnership
- being pregnant or on maternity leave
- disability
- race including colour, nationality, ethnic or national origin
- religion or belief
- sex

- sexual orientation

Having due regard for advancing equality involves:

● Removing or minimising disadvantages suffered by persons who share a relevant Protected Characteristic in this document we have identified possible disadvantages which may be suffered as a result of the proposed PSPOs and we have identified mitigation measures to address this as outlined within this and form3;

● Taking steps to meet the needs of people who share a relevant Protected Characteristic that is different from the needs of people who do not share it where we have identified needs such as rough sleepers and gypsy and travellers we will provide signposting to support services and include exemptions within the orders to ensure there is not impact perceived or real.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard to the need to—

(a) tackle prejudice, and

(b) promote understanding.

The Authorised Officers who will be responsible for any action, including enforcement under the PSPOs, will be given instructions about safeguards, signposting to support services and they will liaise with the wider Anti-social Behaviour Team who undertake multi-agency interventions which may be a more suitable route to use to address behaviours.

Recommended amendments as a result of consultation feedback/EIA process

In response to feedback received, the age of respondents is thought to be responsible for the difference in support for the proposals not only by age but this could also account for the religious and sexuality differences as well, older respondents being more likely to be Christian and identify as heterosexual whereas younger demographic are more likely to identify as LGBTQ and not state a religion.

Concerns were raised around the issue of enforcement, this will be undertaken by front line staff who are already working on the seafront, parks, open spaces and highways. These Authorised Officers already have a level of experience with interacting with residents and visitors to the areas covered by the proposed PSPOs and in the majority of cases they will work informally to undertake engagement, and education to address the behaviours. The PSPO will provide these Officers with stronger powers to deal with the minority of cases who will not move on or change their behaviour.

The effectiveness of the proposed PSPOs will be subject to scrutiny and monitoring. It is proposed that oversight of the issuing of any FPN and subsequent prosecution action if needed will be reported to the Partnership Co-ordinating Group (PCG) who are a multi-agency operational group reporting to the Community Safety Partnership. The PCG will request a quarterly report to monitor actions undertaken by the services delivering

actions under the proposed PSPOs, to review patterns and outcomes which may show if groups with similar protected characteristics are being impacted by any PSPO actions. This information will be collated and used when the PSPOs are reviewed after 3 years or to support any variations which may be needed.

Breach of a PSPO without a reasonable excuse is an offence, however it can be argued that by including a reasonable excuse within the prohibited activity will allow Authorised Officers to consider legitimate reasons why someone is possibly behaving in a certain way, which may give them reasonable excuse such as to celebrate a religious festival or holiday.

Findings

How does your decision affect those of:

Different Ages

- **Negative impact** – there are perceptions that groups of young people are engaged in ASB and this perception can lead to complaints.
- More young people will likely be impacted by the behaviours being targeted by the PSPO as they are more likely to play music and gather socially as well as having open fires on the beaches.
- Young adults are more likely to live in homes without access to a garden of their own so are probably more likely to use the beach for barbeques and gatherings with friends.
- Children may be affected by the condition around urination and defecation
- **Mitigation** - A clear enforcement protocol with thresholds for engagement and action in issuing FPN will ensure unfair targeting of young people does not occur.
- Children would not be subject to enforcement action around urination and defecation
- There is no mitigation to address this however as long as the individuals are not behaving in an antisocial manner and music is played at levels that do not give rise to complaints then social gatherings can continue without any adverse impacts. The issue of fires cannot be mitigated as the adverse effects outweigh the desire to party around an open fire.
- The proposal allows for BBQs on the beach after 6pm and the BCP Council supplied barbeques available at key locations are free to use at any time.
- The focus of the PSPO is compliance and education, with enforcement as a last resort.

- **Positive impact** – on children/young people - there have been reported incidents of children being burnt by buried hot coals/disposable BBQ's. By limiting the times that BBQ's can take place on the beach to quieter periods, the risks of such injuries will be reduced, and seafront staff will be better able to monitor and tackle careless disposals.

- Older people tend to reside or rent beach huts and as such cannot move away for incidents of ASB or loud music, by addressing these behaviours older people should feel safer on the coastal and beach areas.

Current/Previous members of the Armed Forces

- **Negative** – there could be an impact due to the prohibition around fires for those that are homeless
- **Mitigation** - The local services provided by Housing Options and St Mungos provides support services for all homeless individuals and the provision of an exemption within the PSPO. Training for Authorised Officers will ensure that anyone who is street homeless is not subject to any adverse impact, and rather they will be provided with information about support services and engagement with outreach officers. This work will continue, especially where breaches of fire based prohibitions are seen and there is reasonable grounds to suspect the person is homeless.
- Education and support will always be offered in the first instance. Due to the risk attached to wild fires, the fire would require extinguishing, however, additional consideration will be given to area, risk and time of year to ensure the person is not placed at risk

Those with caring responsibilities

- No negative or positive impact identified impact

Those with physical disabilities

- No negative or positive impact identified impact

Those with mental disabilities

- **Negative impact –** Potential impact on understanding of the breaches
- **Mitigation -** the officers will undertake an education before enforcement approach, signage will be clear and pictorial to support prohibitions.

Different genders

- **Negative impact** – those that are street homeless tend to be male, and they may be disproportionately impacted by the prohibition of fires if they are homeless, including beaches and open spaces.
- **Mitigation -** It is not intended to use the PSPO powers to tackle street homelessness. Authorised officers will work alongside our core CSAS officers, rangers and charitable organisations such as St Mungo's to provide advice and signposting to support services.

Those who identify as trans

- No negative or positive impact identified impact

Those who are pregnant/on maternity

- No negative or positive impact identified impact

Those who are married/in a civil partnership

- No negative or positive impact identified impact

People from different ethnic groups

- No negative or positive impact identified impact

People with different religions or beliefs

- **Negative impact** – the proposed prohibition on playing loud music may impact on people celebrating religious festivals during the summer months. Authorised Officers may not always be aware of why music is being played.
- **Mitigation** – Authorised Officers will be provided with training and guidelines which will ensure that formal action resulting in the issuing of a FPN/prosecution is the last resort and initially they will engage with individuals and determine if there is a 'reasonable excuse' for the behaviour being exhibited and this will be taken into account. The proposed PSPOs which include the reduction of volume of loud music when requested, will be considered alongside religious expression. Reasonable excuse may include the celebration of religious festivals.

Travellers

- No negative or positive impact identified

People with different sexual orientations

- No negative or positive impact identified impact

People in different socio-economic groups

- **Negative Outcome –** those who live in flats or HMOs may not have access to gardens or other open spaces and they therefore rely on the beaches and open areas.
- **Mitigation –** There are free to use electric powered hot plates at key locations on the seafront which permit anyone to cook food at any time. BBQ's are permitted in coastal areas after 1800. There is no such provision in other open spaces, however, there are alternatives to

cooking such as picnics or taking precooked foods such as takeaway. The negative environmental aspects of fires and BBQs in these areas outweighs the desire to have BBQs in these areas.

People's human rights

- Article 8 gives right to a private life. This private life includes open areas for people who are homeless. The prohibitions will manage behaviours in this open area, however, are targeted around activities that are detrimental and due to this unreasonable. Engagement, support and education will always be the route taken when working with people who are homeless, therefore protecting this right. The balance must be taken between Article 8 for people and the wider right to peaceful enjoyment of the wider public. The risk and impact of the prohibited behaviours is so significant that the prohibitions should be put in place. This will also reduce the risk of ASB or the effect of fires for those that are homeless.

Conclusion

Summary of Equality Implications

The purpose of the PSPO's is to address the minority of persons who behave in manner that has a detrimental impact on our residents, visitors and environment, at very busy times of the year, when Council and partner resources are already busy. Overall, the proposals will have a positive impact to support seasonal responses in our seafronts, parks, open spaces and highways.

Breach of a PSPO without a reasonable excuse is an offence, a reasonable excuse clause is proposed to be added within the prohibited activity which will allow Authorised Officers to consider legitimate reasons why someone is possibly behaving in a certain way, such as to celebrate a religious festival or holiday or where medical conditions impact on ability to adhere.

Possible socio-economic impacts for those who live in accommodation without access to an outside space, can still access the open spaces and beaches for picnics and alternative hot plate provision at key locations, will still enable family gatherings with hot food provision. There is not prohibition regarding access the space.

Front line staff who already work within the areas of the proposed PSPOs will be able to utilise stronger powers in the minority of cases where active engagement and education have failed to address poor behaviour, and either those responsible are failing to move on or are continuing to act in a manner that is having a detrimental impacting on others. The culture around enforcement of the PSPO will centre around education, and encouragement to comply with acceptable standards of behaviour.

Before any formal action is taken the evidence will be assessed and action will be taken in line with the enforcement protocol. Monitoring and assessment of actions will be overseen by the PCG, who will review on a quarterly basis the outcomes of PSPO actions and identify any trends in who is being impacted and why.

Equality Impact Assessment Action Plan *Please complete this Action Plan for any negative or unknown impacts identified above. Use the table from the Capturing Evidence form to assist.*			
Issue identified	**Action required to reduce impact**	**Timescale**	**Responsible officer**
Target those that are street homeless	*Ensure engagement is undertaken when addressing open fires to establish if someone is homeless.*	*Ongoing business as usual*	*Anthony Rogers*