

Shrewsbury Town Centre Public Spaces Protection Order (No 1) 2017

Shropshire Council consultation on the renewal of this Order for a further three years.

RESPONSE TO CONSULTATION – 4 pages

I am putting my comments on Enforcement right at the top of my response because is the absolutely pivotal issue on antisocial behaviour.

ENFORCEMENT

First, a word about the Rangers. These guys are a great asset to the community and most welcome and appreciated. They are not the complete answer.

On enforcement:

- Much of the disorderly behaviour that is described in the current Order, and in the proposed amendments, occurs out of the Council's working hours – ie after about 1600 hours, and at weekends. The Council provides no enforcement service during these 'down' hours. Apart from the Police, there is no-one upon whom we can call. I consider that the Council is derelict in its duty here, and is in effect abusing the call centre operated by West Mercia Constabulary.
- As far as we have been able to ascertain, the Council makes no use at all of CCTV despite the presence of cameras around the town centre.
- **If the Council is serious about dealing with these antisocial behaviours, they MUST provide a robust responsive service at the end of a phone during the hours of 0700 – midnight 365 days a year.**
- I am sick of being told why the council can't sort out the problems. I am sick of being told that I have to gather all the evidence. I used the awful noise app religiously and even that has now been withdrawn. It is not possible to email or otherwise transfer photos or videos through the Council's firewall. I have offered every possible facility to the Council, the Police and the Rangers.

On drafting:

- I find the drafting almost apologist. Are the listed activities banned, or are they only banned if you happen to get caught? I have read S59, though there may be other provisions of which I am unaware, and I do not see any requirement for people to desist when asked. I want them not to do these things in the first place, with the attention of an 'officer' as a back-up. They could spend a fortnight in the lavatories before anyone asked them to move on. So **TAKE OUT THE STUFF ABOUT WHEN REQUESTED TO DO SO** and make disobedience to an officer a separate offence at the end of the Order.

An omission from the Council's proposal:

- Pride Hill has had numerous visits from a person who behaves in what I regard as an intimidating manner towards other people. He shouts very loudly for hours on end, he rampages around. The police have had to deal with him on several occasions. I do not see anything in this Order that addresses such behaviour. The Council can, no doubt, follow this up through the Partnership and consider whether a further amendment is needed for intimidation and prolonged noise, or whether this is adequately addressed by other legislation.

MY RESPONSES TO YOUR SPECIFIC QUESTIONS BEGIN ON PAGE 2.

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We welcome comments to address the following questions:

1. Do you believe the existing order should be extended for three years. Please provide any further information to help justify your response.

Yes, without any hesitation, the Order should be extended.

Behaviours in the Town Centre have been appalling during the lifetime of the current Order. Much remains to be done to eliminate these behaviours.

Better behaviour can be instilled and promoted by the continuation of this order, and a realisation that 'you can't do that there here'.

2. Do you think the existing PSPO has helped to reduce instances of anti-social behaviour. Please provide any further information to help justify your response.

Probably it has not done very much at all..... **BECAUSE IT IS NOT ENFORCED**. I have asked, for example, about the alcohol provision and been told 'oh, well, we don't think that's enforceable'. It must be clear to everyone that it is enforceable and it is enforced.

3. Do you think the existing PSPO should be amended to include any of the proposed new provisions. Please state which, if any, of the 4 provisions should be included and provide any further information to help justify your response.

First I shall review and comment upon the existing Prohibitions set out in Para 3 of the current Order.

- a) **No person shall urinate or defecate etc.** It is not uncommon for people to do this. Only last week my neighbour saw someone urinating against the Royal Mail post box adjacent to our front door. How do we get evidence of this? To whom can we report it?
- b) **No person shall leave unattended etc.** This happens – often it is cardboard provided by the Ark for the rough sleepers. But it is not a major problem – though occasionally a shop will leave its refuse out for collection for up to a week if the collection fails.....
- c) **No person shall refuse to stop drinking alcohol etc.** **This is far too weak and is a major issue for enforcement** – please see my comments above under that separate heading. Groups of people routinely sit on Pride Hill consuming alcohol for hours on end. It is not acceptable. It must be reworded to say **'No person shall consume alcohol etc'**.
- d) **No person shall refuse to disperse etc.** This is also an issue for enforcement – please see my comments below under that separate heading. I should like to know how often this provision has been used, and by which authorised person, over the last 3 years. If necessary, I will FOI this information.

The council is proposing the following amendments:

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COUNCIL PROPOSAL	MY COMMENT
<p>1. To extend the persons able to enforce the PSPO to ‘any person authorised by Shropshire Council’.</p>	<p>Is it your intention that Para 2 of the current Order is amended to read:</p> <p>“an authorised officer includes a Police Constable, a Police Community Support Officer, and any other person authorised by Shropshire Council.”</p> <p>If so, what persons does the Council propose to authorise? And what will be their availability?</p> <p>I agree with this proposal, subject to my comment here, and also above under my heading of Enforcement.</p>
<p>2. To include a wider enabling provision to require a person to stop sitting or lying within the area if causing anti-social behaviour i.e. -‘No person, who is sitting or lying on any footpath or pedestrian area or in any fire escape, stairway or other entrance or exit to any premises within the protected area, shall refuse to move when required to do so by an authorised officer, provided that officer has reason to believe that that person is causing or likely to cause nuisance, alarm, harassment or distress to any other person or in order to prevent public disorder.’</p>	<p>Pride Hill has had a lot of rough sleeping in the past, but not over the last few months. I am not aware that rough sleepers caused access problems for occupiers of premises, though I have seen cleaning activities carried out by those occupiers after a prolonged stay by people lying or sitting there.</p> <p>Pride Hill does get a lot of nuisance from groups of people sitting on the benches for prolonged periods, usually consuming alcohol and waiting for delivery of their various substances. These groups are often noisy and leave a lot of mess (food and drink, including alcoholic drinks) when they finally move on. They are not often lying on footpaths. Does this provision cover them sitting on the benches? If not, then it needs to be amended. There is almost daily open drug-dealing on Pride Hill but the Council’s interest seems minimal.</p> <p>I agree with this proposal, subject to:</p> <ul style="list-style-type: none"> • The matter of people sitting on the benches, as above; and • My comment above under my heading of Enforcement

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COUNCIL PROPOSAL	MY COMMENT
<p>3. To include a wider enabling provision to require a person to leave a public toilet if causing antisocial behaviour namely - ‘No person shall refuse to leave a public toilet when required to do so by an authorised officer, provided that officer has reason to believe that that person is causing or likely to cause nuisance, alarm, harassment or distress to any other person or in order to prevent public disorder.’</p>	<p>Fortunately I do not have occasion to visit public toilets in Shrewsbury.</p> <p>I have, however, had several conversations with the excellent staff cleaning public toilets in Bridgnorth and heard first-hand of the difficulties that they encounter.</p> <p>I do not think this proposal has sufficient strength. It should start by emphasising that a person should spend only such time in a public toilet as is necessary for the purpose of using the lavatory and washing their hands, and should leave the facilities in a clean and tidy condition.</p> <p>Were I to use a public lavatory I would be very intimidated indeed if it were packed with some of the people I see in this area. It must therefore also include your proposed amendment (corrected to read ‘that that officer’).</p> <p>I agree with your proposal subject to my suggested amendments.</p>
<p>CONTINUED ON NEXT PAGE</p>	

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COUNCIL PROPOSAL	MY COMMENT
<p>4. To include a wider enabling provision to require a person to stop using a sound amplifier if causing anti-social behaviour namely - ‘No person shall refuse to stop using a device intended to amplify sound when required to do so by an authorised officer, provided that officer has reason to believe that that person is causing or likely to cause nuisance, alarm, harassment or distress to any other person or in order to prevent public disorder.’</p>	<p>This is absolutely not strong enough and I do not agree with this weak wording.</p> <p>Conversion of town centre premises to residential use is rightly increasing.</p> <p>It is essential that the council imposes an OUTRIGHT BAN on the use of amplifiers in the town centre, or at least in those areas of the town centre which you can prescribe as having residential occupants.</p> <p>Use of an amplifier by definition causes nuisance, alarm, harassment and distress to me, and many others, as residents. The sounds produced are attenuated and distorted by the buildings and are usually very audible within my premises with the windows closed and often with the TV on.</p> <p>Apart from ‘musicians’ – I use the term loosely - we are also visited by people promoting religious or political messages and using amplifiers. I do not welcome any such message, whether it be flat earth, moon is cream cheese or any other such. I do not want them in my home. This causes me distress. Importantly, there have been occasions where the messages have resulted in assaults and fights and needed the police to sort them out.</p> <p>If Shrewsbury needs a Speakers’ Corner, then the Council should establish one in an appropriate place.</p> <p>The council, and our Councillor Mr Nat Green, are well aware of the complete MISERY that amplified sound causes to the residents of Pride Hill, and doubtlessly of other similar areas and I do not need to go into more detail here.</p>

4. Please state whether you are a resident of Shrewsbury Town centre, a Town centre business owner, an employee in the Town centre or a visitor.

I am a town centre resident.