

I am PC 5530 Nicholas Mansell of the West Midlands Police. My current role is that of Anti-Social Behaviour Coordinator for Coventry Police and I have held this position for 5 years.

Coventry City Centre is the single largest demand area within Coventry in terms of calls for service in relation to anti-social behaviour (ASB). The city centre area regularly records over 100 calls for service each month. For the month of May 2016, for example, Coventry City Centre recorded 146 calls in relation to ASB.

Begging has always been an issue for Coventry City Centre, as it is for most cities in the country. The police currently can take action when the offence of begging, which is the direct request for money from a person, is either witnessed by a member of the public or by an officer. Most begging offenders will not commit this offence when a uniformed officer is present and most are aware of whom the police officers are even when they are wearing plain clothes. Therefore evidence directly from police officers is limited.

There are very few members of the public that are prepared to give evidence to facilitate further action against an individual who is begging. There are a number of reasons for this which includes seeing the beggar as a victim rather than an offender.

Begging takes place across the city centre but is very limited once outside the ring road. Begging often takes place around car parks near to the payment meters. This is one of the most common locations when calls for service are received by police. Other locations include outside shops and being approached in the street or square. Broadgate is a common location for beggars to approach members of the public and requests for money (spare change) are made.

Whilst many calls for service to the police do not include offers to give evidence, they do complain about intimidating behaviour and sometimes aggressive behaviour of beggars. This is particularly the case when they are asked to move on by a store owner or similar.

Coventry Police do target the beggars and currently we hold 11 Criminal Behaviour Orders against begging offenders. These are individuals who persist in the offence of begging and due to the evidence gained, the police are able to gain conditions set by the court to behaviours they must undertake – such as drug/alcohol treatment and conditions they must not undertake – such as sit on the floor in Coventry City Centre. Sitting on the floor is an excellent example of how an individual sets themselves up to beg without completing any offence.

Begging offences does take up a significant amount of police time and resource and multiple calls for service are received on a daily basis. Gaining Criminal Behaviour Orders is further work that is resource intensive and will take a police officer off the streets for a significant amount of time.

Peddling, the sale of goods by individuals moving through an area is an occupation that West Midlands Police has currently reviewed. The supply of Peddlers Certificates has been considered and it was found that the use of them had become too vague. As the ASB Coordinator I have the task at renewing all Peddlers Certificates and only the ones that fit the specified criteria will be issued. It is expected that the majority of Peddlers Certificates will not be renewed. This may well lead to an

increase in selling without a licence. Coventry Police does not receive many calls for service regarding this issue but does come up within public meetings and forums.

Charity Collectors are not often a subject of police calls for service. Coventry Police does not receive many calls for service regarding this issue but does come up within public meetings and forums, so clarity for all parties about what is allowed and what is not within the City Centre would be welcomed.

Busking is not a call for service received by police. Many verbal comments are made to officers from time to time in relation to the noise level being too high and the quality being too low.

Distribution of publicity materials is not a call for service received by police unless it is of an offensive nature that would fall under criminal legislation.

Skateboarding can be an issue that is reported to police. One area where complaints concerning skateboarding are prevalent is the area outside The Herbert Art Gallery and Cathedral. Large groups of youths are reported to gather and their behaviour both from the group itself in terms of language and behaviour as well as the skateboarding itself has caused members of the public to feel intimidated and annoyed. The skateboards have been reported to pass individuals very closely and there have been reports of collisions. Police are limited in the powers we can use against skateboards unless it fits into Public Order legislation (Harassment Alarm Distress) or Public Nuisance.

End of statement

My name is Adrian Woolford and I am employed by Coventry City Council as a Business Improvement District (BID) Liaison Executive. Within my role I manage the Retail Crime Operation (RCO) and supervise the BID Ambassadors.

The BID's main purpose is to generate footfall into the City Centre through Events, Crime reduction, Cleansing and Greening. We are funded by the businesses themselves and everything we put in place is above the Council's baseline agreement.

Whilst speaking with businesses we get to know their concerns and issues regarding the City Centre and assist where possible. Some of these concerns relate to beggars, street drinkers, noisy buskers and charity collectors, with businesses often saying they feel it is having a negative effect on their business and the perception of the City Centre as a whole.

The BID Ambassadors log any encounters with beggars and street drinkers on our internal database allowing us to keep record of problematic individuals and locations. This information is in turn forwarded to Police and Community Safety on a monthly basis and also if necessary offenders can be brought to light at Local Case Management Forum (LCMF) meetings to discuss further. When approaching a beggar or street drinker to ask them to move on we never know how they may react and could in theory be putting ourselves into a volatile situation. We use the radio link to forward information to the Jackson Road control room too.

Over the past year or so we have noticed an increase in buskers and with no official policy in place it makes it hard to manage them. Businesses are encountering problems with the noise as on occasions the volume interrupts the daily running of the store as staff are unable to hear customers. In the past we have politely asked buskers to turn the volume down, limit the time they are in one spot or even pack up if they are causing too many problems. More recently we have been directing complaints to the Neighbourhood Enforcement Officers within the Council as they are looking are tackling the problem going forward.

Charity collectors who can be quite persistent when asking for donations are also a problem, more predominately in the areas of Broadgate and Upper Precinct areas. We have questioned the Council Licencing team over the complaints and how to tackle the problem and on a few occasions they have attended alongside us to question the individuals, but were happy with the documentation provided.

Overall the combination of the aforementioned problems can put a strain on the City Centre as visitors can leave with the wrong perception.

End of Statement

My name is Simon Hutt, I am employed by Coventry City Council as a Street Enforcement Manager. In my role I am responsible for managing a team of Neighbourhood Enforcement Officers (NEO's) that patrol the City Centre and issue penalty notices for littering and similar.

My team regularly inform me about issues that occur within the City Centre that they do not have powers to deal with, which causes them personal frustration but also means members of the public often think they are ignoring issues when in fact they cannot enforce against them. Where appropriate they will approach the person causing the issue but most of them are aware NEO's do not have the power to insist on a resolution.

The most prevalent issue is begging, NEO's regularly remark that the numbers operating in the City Centre has increased over the past 12 months. They will operate in such a way that if they see a person in uniform from the Council or Police they will ensure they do not verbally request anything from people as they know that is the offence. They are also aware that NEO's cannot insist they move on and as such many remain in situ. In fact Police officers also struggle to move them on in some cases.

Beggars are often seen in empty shop doorways but most commonly in car parks around pay stations.

Buskers cause issues for NEO's particularly buskers that use amplification. Whilst we are aware of the code of conduct that was devised some time back, that code is not enforceable and whilst some buskers are amenable to advice offered, some will ignore it. We recognise that enjoyment of buskers is subjective so cannot assess who is "good" or not but to assist businesses and their

employees and to be fair to all buskers, the main principle of insisting buskers move on from their pitch after one hour, not to return to the pitch will work best for all.

Charity subscription collectors are often seen in the City Centre, quite often people will complain to NEO's about them generally as people don't like to feel harassed. Upon checking the conditions under which they are allowed to operate in the City Centre it is clear that often collectors will stray some distance from permitted areas into Broadgate and the High Street. NEO's don't have the powers to insist these collectors return to agreed locations

During school holidays it is noticeable that a number of unauthorised sellers, particularly wristbands will enter the City Centre. They purport to be selling on behalf of charities but it appears only the smallest fraction of money received goes to any charity. The sellers often target mothers with children or young girls and often they feel pressured into purchasing the bands or other products. People often state this to NEO's but they do not formally complain to the Council on the telephone or similar.

Skateboarding as an activity tends only to be problematic in a small number of locations in the City Centre, on the whole the boarders are quite amenable when spoken to, however the manner in which they ride their boards can pose a danger to the public as when they fall off, the boards can often be propelled away from them at some speed, at ankle height.

The noise skateboarding creates can also be very noisy in some locations, the topography and designs of some buildings and areas in the City Centre can amplify this.

Cyclists are regularly complained about to NEO's and where they can get cyclists to stop it will be explained to them that it's not appropriate to ride at speed through pedestrianized areas, but more often than not cyclists will not stop and will carry on.

Historically a problem area for skateboarders and cyclists, particularly on BMX's is around the Herbert art gallery and Cathedral Square. They will often congregate near the front of the gallery and can cause significant nuisance for staff and visitors to both the art gallery and cathedral.

In summary it is my opinion that the management of the City Centre would be greatly improved by assigning officers the powers to deal with various issues, some of which cause significant issues, some less so but the attractiveness of the City Centre to visitors would be enhanced by allowing this.

End of Statement

My name is Paul Bowman. I am the Parking Services Manager for Coventry City Council and I have held the post for 9 years. My responsibilities include the monitoring and enforcement of on and off-street parking throughout Coventry and also for the management of the Council's public and private car parks located in the city centre and out of town.

The management of car parks includes responsibility for the safe operation of the sites and the equipment therein; the security of the assets and money contained in the pay-stations; the safety

and security of the staff and members of the public using the facilities; adding to the customer experience in support of the generation and growth of the local economy.

Car parks are a haven for beggars and begging is particularly problematic in city centre car parks (e.g. Cox Street, New Union Street, The Barracks, Salt Lane) where the individuals concerned position themselves next to the pay stations and prey on the car park customers. Some customers have complained that they have been verbally threatened when they have refused to give the beggars money.

As the Parking Manager, I regularly receive complaints from customers who have been subjected to beggars and other anti-social behaviour in car parks. Many customers have commented that they felt intimidated, threatened, vulnerable, unsafe and that the behaviour of the beggars is totally unacceptable and not what they expect when visiting the city centre. Some customers have also said that they will avoid coming back to the city centre due to the problems caused by beggars and the negative experience that they had.

Some beggars are responsible for the following offenses in car parks:

- ☒ Forcing objects into the coin, ticket or credit / debit card slots in the pay stations causing significant damage to the equipment that can result in a loss of revenue to the Council.
- ☒ Urinating and defecating in the car parks or in the car park equipment, which aside from the stench and the obvious unpleasantness is a health and safety problem that customers and staff are exposed to.
- ☒ Littering

The cost of any repairs and cleaning of the machinery and car parks is an expense that the Council incurs and one that we can ill-afford.

In my opinion a Public Space Protection Order would provide a useful mechanism for controlling the behaviours of beggars and potentially removing them from the car parks. With that in mind, I would very much support any proposal to introduce a PSPO.

End of Statement

My name is Professor Ian Marshall. I am Deputy Vice-Chancellor for Strategic Alignment and External Relations at Coventry University. My portfolio over the years has included responsibility for Students, Research, Student Services, Registry, Library, Information Technology Systems, Recruitment and Admissions Office, Timetabling and Marketing & Communications.

I am also Chair of the University's Anti-Social Behaviour (ASB) Group and am currently in the process of implementing a revised protocol on reporting complaints to the University, with a view to help address and deal with ASB efficiently and effectively.

Skateboarding and associated activities on the University Square has been an issue for a number of years resulting in numerous complaints being received by the University. Large groups of youths congregate on the Square (particularly over the summer months) and cause a great deal of noise and nuisance not to mention the potential danger they impose to members of the public by the manner in which they ride their boards and bikes.

The issue with skateboarding and cycling on the Square has been particularly noticeable to the senior management team at Coventry University as some of our offices adjoin the square and therefore the noise and language used by the youths can be clearly heard. This is not the type of environment we would like our staff, students, potential new students and visitors or members of the public to have to experience. For major events we have to deploy our Protection staff to prevent skateboarding disrupting the event being held on the University Square, in the University, Cathedral or Herbert Art Gallery.

I would like to add that there has also been a great deal of damage caused to the Square by persistent skateboarding over the years hence resulting in an unnecessary expense incurred to the University.

The University would welcome measures to ban skateboarding and cycling altogether from the Square to help safeguard staff, students and members of the public from potential harm. It also is not a good experience for visitors to the Cathedral to be run down while they are trying to get a better view or take photographs.

End of Statement

Police Statistics

The information below relates to the previous 12 month period as of 1st October 2015 – 28th September 2016

Criminal Offences

There were 40 breaches of Criminal Behaviour Orders relating to begging or other offences in the City Centre. These statistics will not reflect the number of instances a person may have been caught begging prior to going to court and having a Criminal Behaviour Order imposed.

Reports Received

These are calls received by West Midlands Police that were categorised as “Anti Social Behaviour”

Type of Incident	Number of calls received
Begging	153
Cycling	11
Busking	6
Skateboarding	6



Please reply to

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Mr. Liam Nagle
Community Safety Officer
Coventry City Council
Council House
Earl Street
Coventry
CV1 5RR

22nd December 2016

Dear Mr. Nagle,

PROPOSED PUBLIC SPACE PROTECTION ORDER – COVENTRY CITY CENTRE

The Campaign for Better Transport campaigns for a sustainable transport system which is a real alternative to the private car, with high quality bus, rail and metro services and where it is easy and safe to walk and cycle. I am the chair of the group for the West Midlands area.

I am writing in connection with the authority's proposed Public Space Protection Order for Coventry City Centre, to be introduced in accordance with the Anti-Social Behaviour Crime and Policing Act 2014.

Whilst agreeing with the principle of introducing a PSPO the planned prohibition of cycling in the city centre, with the exception of designated cycle lanes, is disproportionate and inappropriate.

There are anti-social cyclists, as there are anti-social pedestrians, anti-social bus passengers and anti-social drivers. However, they represent a minority. The vast majority of cyclists will cycle through a pedestrianised area with caution, keeping a look out for vulnerable pedestrians such as the elderly and disabled and generally taking care. Banning cycling in the city centre during the daytime because of an anti-social minority is frankly over the top.

The geographical extent of the proposed prohibition is vague. "Cycle lanes" are exempted from the ban. Yet whatever meaning is given to the term by the general public, the Department of Transport uses the term to mean on-carriageway lanes demarcated from general traffic lanes by white lines. No such lanes exist in the area bounded by the Coventry Ring Road. The proposed ban applies to cycling in "paved areas" yet the Council can change the surface of an area from paving to asphalt concrete and vice versa with any public consultation.

/....continued

We note the impact statements accompanying the proposed order. Whilst anti-social cycling has been raised as an issue there are no statistics showing the number of cyclists spoken to by the Police in the city centre, or the number of offences committed. Nor has any research work been completed by the council interviewing users of the city centre to identify what their top concerns are.

The Transport Research Laboratory have conducted research on cycling in pedestrian areas (TAL 9/93). The study was based on studying an hour-long piece of footage of 21 pedestrianised sites, 12 in Britain (Beeston, Bristol, Cambridge, Canterbury, Chichester, Leicester, Manchester, Nottingham, Oxford, Peterborough (2) and York) and 9 in Europe (3 each in Denmark, Germany and the Netherlands), followed up by 12 hour video recording sessions at four British sites, and questionnaires. The findings showed:

- In 66 hours of total footage, **not a single collision** between a cyclist and a pedestrian was observed.
- **Not one accident involving an adult pedestrian and a cyclist was recorded at any of 21 sites in the previous fifteen years.** There had been only one accident involving a child pedestrian and a cyclist in that fifteen year period.
- Cyclists adapt their speed to pedestrian density, and dismount if necessary.
- While pedestrians tend to adapt their behaviour in the presence of motor vehicles, they do not do so in the presence of cyclists.

We also note that local authorities do have the power to introduce local bye-laws in public areas, which can include introducing a speed limit for cyclists. Rather than imposing a blanket prohibition, surely it would be more proportionate for the council to introduce a bye-law within the city centre, setting a speed limit for cyclists. This would not affect the majority of considerate cyclists but would give a tool to the Police to deal with cyclists who are riding at an excessive speed and allow them to be identified and dealt with.

Powers also exist to allow speeding cyclists to be prosecuted for the offence of "riding furiously", an offence under the Town Police Clauses Act 1847. This act has been used in recent years to prosecute a cyclist in Cambridge who was speeding.

Finally, we note that Birmingham City Council have introduced PSPO's in two parts of Birmingham City Centre to deter anti-social behaviour. These include pedestrianised areas within the city centre. Whilst restrictions have been placed on stakeboarding, there is no prohibition or restriction on cycling.

We trust these comments are helpful and will be taken into consideration when the PSPO is finalised, with an alternative approach being adopted to deal with the minority of anti-social cyclists. A copy of these comments has also been sent to the Office of the Police and Crime Commissioner for the West Midlands.

Yours faithfully,



Kevin Chapman,
Chair, West Midlands Campaign for Better Transport

Public Space Protection Order consultation

I am responding to this consultation as the Coventry representative of Cycling UK. Cycling UK is a charitable membership organisation supporting cyclists and promoting pedal cycle use. It has 67,000 members and affiliates, 230 of whom reside in the CV1, CV2, CV3, CV4, CV5 & CV6 post code areas.

Close passing (at speed) of pedestrians by cyclists is anti-social. Just as close passing of cyclists by fast cars & lorries is disturbing and potentially fatal.

However it must be recognised that many people are unwilling to cycle with fast or busy motor traffic. In particular across the ring road junctions or on difficult parts of the inner circulatory road such as the shared space junctions, or where bus drivers frequently perform complicated manoeuvres (such as on New Union Street, Hales St., Trinity St., Ironmonger Row and The Burgess). I fear that faced with the choice of cycling on the carriageway, dismounting and pushing their bicycles or travelling to/across the city centre by car, too many people will shift from bicycle to car.

Dissuading people from cycling goes against established Council policy, which is similar to that documented in the West Midlands Cycle Charter which

"sees cycling as playing an important role in addressing the challenges the West Midlands face, which include reducing congestion, carbon and pollution, supporting economic growth and employment, tackling obesity and creating places where people want to live, work, learn, shop and do business."

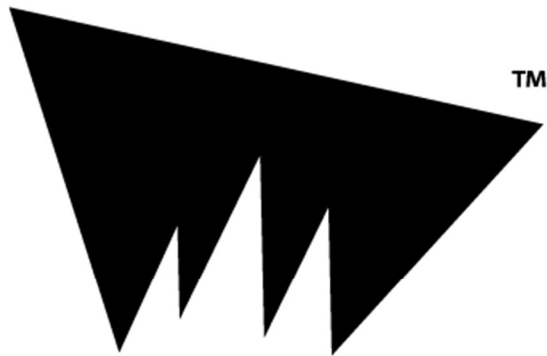
(See http://www.coventry.gov.uk/downloads/file/19585/lp3_list_of_proposed_minor_changes_to_local_plan)

The legality of using a PSPO to prevent people from cycling along Priory Street as it goes through University Square or though Broadgate is questionable as is the fining of persons who need a pedal cycle to provide mobility.

I therefore suggest that the ban does not apply to cycling as such, but only to close passing of pedestrians by fast cyclists. Failing that it should only apply to the core pedestrianised areas, as defined by the following list:

- The Precinct (upper & lower)
- Smithford Way
- Market Way
- City Arcade
- Shelton Square
- Bull Yard
- Hertford Street
- St. Micheals Ave.
- University Square (Except for Priory Street)

George Riches, 14 January 2017
George.Riches@CoventryCyclist.org.uk



**COV SKATEPARK
PROJECT**

Our Statement on the following;

**Anti-Social Behaviour, Crime and Policing Act 2014,
Section 59**

Public Spaces Protection Order (City Centre) 2016

Introduction

The end of all open access youth work within the City (Through the Connecting Communities proposal) forced an opportunity to continue some of the vital engagement across the City that some of our most vulnerable in society depend on, but also allows the youth work offer in Coventry to be reinvented as an innovative and contemporary form of engagement.

The Coventry Skatepark Project is a community interest company established in late 2016 in response to two youth workers who recognised that the environment for Urban Sports in Coventry is far below the standard needed to promote safe and positive engagement in urban sports.

We are a community driven organisation and our commitment to the urban sports community is reflected by the fact that our company direction is through direct consultation with young people engaging in either skateboarding, BMX, or scooter riding and other various urban culture activities.

The Coventry Skatepark Project (CIC) would like to make it known that we completely oppose the implementation of the Public Space Protection Order. Whilst we understand the need to take such strong action on many of the other elements of the order, we believe the punishment of those engaging in Skateboarding and Cycling to be unfair and unjust, considering the current offer of facilities by the Council across the City.

Without offering a safe, modern facility for the urban sports community to access this order will only target and criminalise one of the most active youth communities in the City. In a time when young people are already having their vital services stripped from them the message this action sends out to the youth community is very negative, and damages the fragile relations between young people and wider society therefore deeper entrenching the social divisions in our society.

The Coventry Skatepark Project currently holds a committee group made up from members of the urban sports community, local business owners, film makers, youth workers, artists, and students. **The committee unanimously opposes this order.**

There is also a petition set up by a committee member titled 'Stop banning skateboarding in the city centre or Fund an adequate skate-park for the community' which currently stands at over 150 supporters. (There was over 450 supporters of this petition, however the Coventry City Council Petition system lost over 300) There is also a paper petition signed by over 380 people requesting the council to better support the urban sports community.

Coventry Older Voices, an age concern group within the City has also showed support for the implementation of the Public Space Protection Order, however they have empathy for those in our community. They have publicly stated 'we do have some sympathy with responsible skateboarders, and support their aims for more skateboarding facilities in the City'.

Whilst we do understand the concerns of older Citizens who believe they could be at risk of harm, we urge Councillors to oppose the inclusion of Item f. and recommend that the Council works alongside ourselves and other representatives within the community to improve the offer to people engaging in urban sports within the City.

When we look nationally at the facilities provided by local authorities Coventry is decades behind in recognising the positive impact engaging in urban sports can have in a community like ours. With the inclusion of BMX and now Skateboarding in the Olympic games many other cities have invested in urban sports heavily. The most inspirational example of this has to be Hull, who were recently awarded the City of Culture award. Hull plan to harness the potential of Urban Sports to increase the lasting impact of their City of Culture 2017 plans.

Among its aims will be to encourage young people to take up the activity in a safe and considerate way and host a major national event to bring in the best in the sport from across the country into the city.

Existing Facilities

Those who are not familiar with the urban sports community would argue that there are already multiple facilities across the City, with the War Memorial park skatepark being the most recognised due to its location.

However, each of the facilities provides its own individual issues.

But the overwhelming issue is that the parks are ‘catalogue parks’, with very little consultation during the design process.

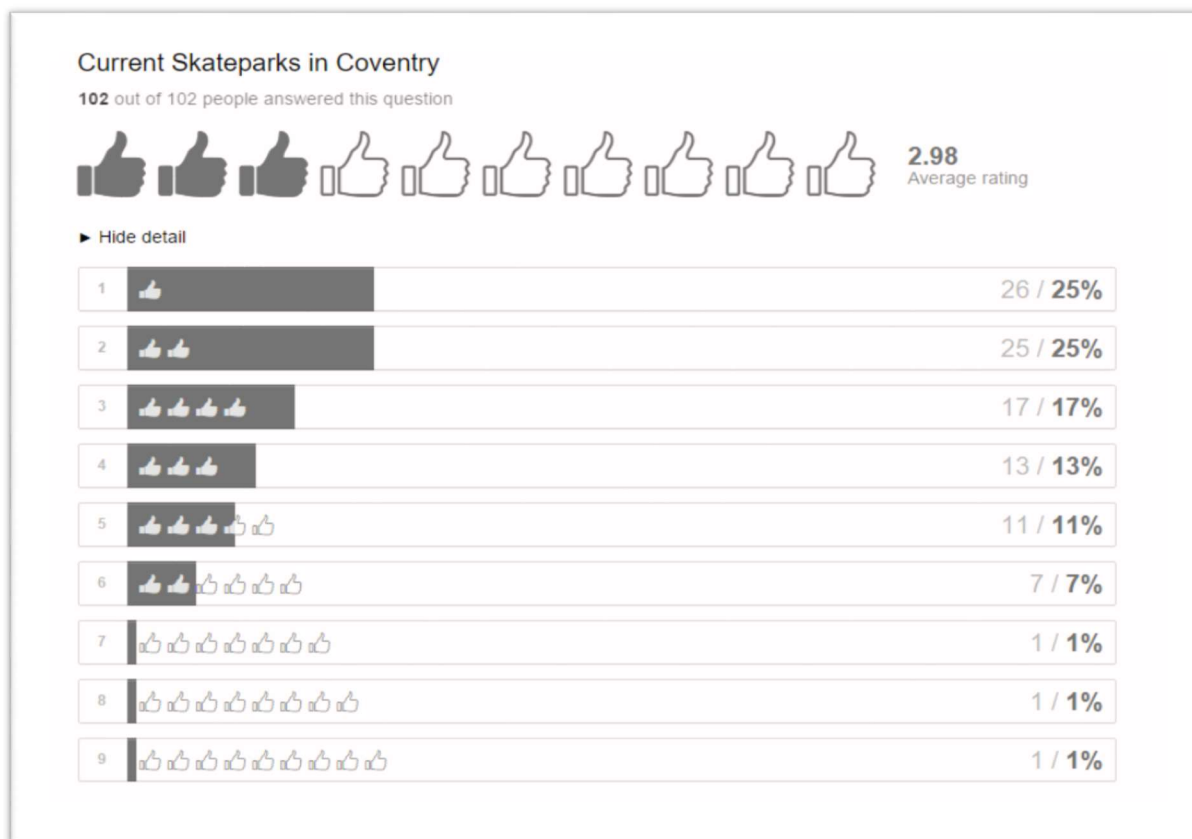
Many of the other facilities across the City were built 15/20 years ago, with some falling into a state of disrepair due to not being maintained or extensive cases of vandalism and Holbrooks bowl is no exception. As shown by this collection of images, many of the parks have become a danger to their users, and are in desperate need of maintenance.

With many of the parks displaying similar health and safety risks due to neglect and skateboarding, BMX, or scooter riding not being acceptable in public space this leaves the skate community with two options. Either to continue to use these dangerous parks that offer little chance for progression, or move into the City Centre and risk criminalisation and face the punitive measures of the Public Space Protection Order.

The issue is not young people skating in the City Centre. The issue is not having a safe, adequately built, maintained space for young people and others to use in the City Centre.

The one Skatepark that was designed with adequate community input, (Holbrooks Bowl) shows the benefits of having the community involved in the process. Its bespoke design is the reason it is one of the most actively used in the City.

However, the site is often a target for local vandals and due to the nature of its location (Set back away from a main road, bad lighting and hidden from eyesight) it attracts anti-social behaviour.



Coventry Skatepark Project – Public Space Protection Order Consultation





Coventry Skatepark Project – Public Space Protection Order Consultation

The following information was taken from a demographic study completed by Coventry Skatepark Project.

“There are currently no skateparks in Coventry that are even on par with city architecture that isn't even built for skateboarding. Especially for how many skaters there are in Coventry the skatepark selection is terrible.”

“if Coventry had a skatepark it would build more community and would keep places in the town from complaining about us skating on their stuff because we'd be at the skatepark instead”

“Because I have lost count of the amount of times I have had to protect younger children from thieves and crooks, and the amount of times I've been attacked, or had to flee to keep my possession, or had to turn back home due to vandalism of outdoor parks.”

“Need somewhere to ride that is kept up to standard and isn't left to be vandalised. We need somewhere that is dry and has lights as most of us work late hours.”

“Parks that exist currently aren't based in the best of areas and do not have working lights and so there's always the risks created by certain groups of people from local estates, the parks are also very out dated and don't flow very well especially with the damage that has been created on the ramps by those who do not use them for example cars burnt in Holbrooks bowl have left craters. The overall scene in Coventry and the surrounding areas for bmx/skating is very lively but is hindered by the lack of a quality, safe, rideable skatepark”

“We don't really have a decent skatepark to use, a lot of them get trashed with glass and rubbish, an indoor skatepark would be ideal for Coventry as there are a lot of people that would use it daily, especially in the bmx scene!!”

“Coventry's past and present has been fortunate to be the home to many we'll know and respected skateboard and BMX athletes.

The main effect of which has been able to gather a large following of extreme sport enthusiasts, ranging from scooting to skating to BMX and to rollerblading.

We estimate as many individuals which participate and are still active in interest to be as many as over 1,000. To harness the population would be one incentive to create more facilities, though I personally believe and trust that many other would believe, is that these mentioned activities also holds a formidable tool in stress release to all participants, it allows an area of contemplation and expression in an abstract form of art, which ultimately creates a community with no social barriers and allows usage to following generations.”

“I feel safer riding in an indoor park where you have to pay to get in because it stops people from coming just to cause trouble because of the entrance fee! And I would rather ride there late at night than any outdoor park or street”

“Because people are always complaining about us not being active but when we are active and skate they complain that we are a nuisance, there's a lot of football pitches for footballers so why aren't there any skateparks for skaters?”

Coventry Skatepark Project – Public Space Protection Order Consultation

“Love skateboarding been doing it for about 8 years and have travelled to many different skateparks, would be great to see the riders of Coventry have their own park, build some culture and make good memories”

“Visitors, income, culture, community, friendship, revenue, health, fun, activity, engaging, creativity, memories, lessons, experience. All symptoms of a simple skate park.”

“Coventry's current skatepark is in really bad shape. The concrete ramps are cracked and chipped, making them very dangerous for skateboarders. In addition, the current skatepark can only be used in perfect weather conditions as any rain can make the ramps too slippery. As a result, it is hardly used for half of the year.”

“skaters in Cov aren't allowed to skate around town and there are very little alternate options. A skate park would be amazing as a place to socialise and practise sports.”

“We currently only have very small parks that get easily overcrowded and can attract people who give BMX Riders a bad name. If there was an indoor park this would mean people stop complaining we are riding street, if there was an indoor park this means we could stop all drug and alcohol use at the skate park and this gives riders a safer environment to ride. It's also a good way to bring new jobs and business to the city. Bmx, skate and scooting is continuing to grow meaning there is a lot of potential.”

“There are no indoor skate parks for miles. We have lots of skaters in our roller derby league (Coventry roller derby) who would get great use out of a local decent skate park. The one in memorial park is too small and you can only skate there in the summer if you are a newbie unwilling to skate in the rain. It's about time we had an indoor skate park!”

“Because a lot of the current parks are dangerous. The council doesn't seem to care about sport unless its football or something. And it would give kids somewhere to go. Skateboarding helped me, so it can help others!”

Our recommendations

We recommend that the proposal is postponed until a later date until our project has established an alternative facility for the community to access.

Currently the Coventry Skatepark Project is working on 2 facility projects. Our first project is to open a small indoor facility in Spon End to support the community, and to build enough evidence to support our search for larger funding pots.

The larger funding, we hope to use to develop a large space of land underneath the ring road, near Belgrade Plaza. Whilst this project is currently in its infancy, we are excited about its potential and are eager to move forward and make progress. This PSPO jeopardises much of the progress we have made to support the community, especially our projects to develop facilities. It removes a degree of legitimacy surrounding skateboarding and urban sports, therefore this proposed order damages the opportunities for positive outcomes for the young people of our City.



Response on behalf of the Management Group of Coventry Older Voices (COV) relating to the Public Consultation on the proposed Public Spaces Protection Order (City Centre) 2016.

Dear Liam,

In terms of addressing the on-going issues relating to the safety of the public within the City Centre, Coventry Older Voices (COV) welcomes the intentions behind the City Council proposals outlined in the PSPO 2016. There are however a number of serious concerns which have been raised particularly by the COV Management Group which are set out below.

In the rebirth of Coventry following the immediate post war period, the original design of the Precinct was designated as a traffic-free, pedestrian only area. While acknowledging the need for adapting to the changing needs of the present, and also planning for the future, there is a sense that most people do not want the original purpose of the Precinct area to be changed.

In considering the extent to which the PSPO as outlined in the proposed paper will be successful the COV Group believe it will only be effective if it is adequately policed. The Order demands a co-ordinated approach between all who have a responsibility and duty of care in the area of designation e.g. CCC, West Midlands Police, BID, other security staff employed by the business community and land owners in West Orchard, the Lower Precinct and other related areas identified in the Order. There is a distinct lack of information in the documentation as to how this will be delivered.

The Group also urges the City Council to maintain and develop a more co-ordinated approach with Partner agencies to address the root causes which

result in people being homeless/ have no other resort to income than to beg in the Public domain.

It is acknowledged that for the legalities of implementation there has to be a clearly defined area stated within the terms of the Order. It has been very difficult to gain a clear idea of the area covered by the Order through examining the map at Appendix 1. The COV Group, however, feel strongly that any attempt to restrict the geographical area and times of operation, as currently proposed, is inadequate. This is based on the grounds that the problems that the Order seeks to address are, in fact, not limited to specific areas or times in the day.

There appears to have been little consideration given to the aspirations enshrined in the Age Friendly City project. Older people often feel unsafe and intimidated once they leave their homes. Their anxiety increases further in the City Centre particularly in the evenings especially with reduced mobility/sight and hearing problems, resulting in social isolation. All this impinges on the overall health and well-being of older people in Coventry.

Best wishes,

Bridget Harper

On behalf of Coventry Older Voices.

Response to Coventry PSPO Consultation

1. I am writing in response to the consultation on the proposed Public Space Protection Order (PSPO) in Coventry city centre.

2. I am the Senior Road Safety Officer and Legal Campaigner for Cycling UK, the national cycling charity, however I also manage Cycling UK's Cyclists' Defence Fund (CDF). CDF is currently funding and supporting six cyclists who have issued proceedings in the High Court to challenge a PSPO made by Mansfield District Council banning cycling from the town centre <https://www.cyclinguk.org/press-release/2016-09-20/mansfield-district-council-taken-court-town-centre-cycle-ban>. Links to previous articles which outline why PSPOs should not be used to restrict cycling can be found here <https://www.cyclinguk.org/blog/duncandollimore/mansfield> and here <https://www.cyclinguk.org/blog/duncandollimore/mansfield-public-menace---79-year-old-cyclist>.

3. I am aware that the proposed PSPO would restrict various activities, however as both Cycling UK and CDF are charities whose charitable purposes concern cycling, the promotion of cycling and issues related to cycling, I will restrict my response to the proposals at para 3(f) of the draft order, which would impose restrictions on cycling and skateboarding.

4. I am also aware that submissions have been sent to Coventry City Council (CCC) from representatives of local groups and individuals, including George Riches from Coventry Cycling Campaign, and James Avery. I have discussed the proposed PSPO cycling restrictions with such local campaigners and residents, and endorse the submissions made by them regarding the impact of the proposed order upon people who may now, or who might wish to cycle in Coventry, particularly those who might have other restrictions on their mobility, an issue Mr Avery deals with in more detail within his submissions.

5. Given that Cycling UK have been involved in submissions concerning PSPO proposals seeking to restrict cycling in other town and cities, legal challenges to such orders, and indeed in making representations to the Home Office regarding amendments to the statutory guidance, I will concentrate my submissions on certain legal issues concerning the proposed order, and indeed the inadequacy of the consultation document.

6. The Home Office Guidance on PSPOs states that:

"Our aim in reforming the anti-social behaviour powers is to give the police, councils and others more effective means of protecting victims, not to penalise particular behaviours. Frontline professionals must use the powers in the Anti-social Behaviour , Crime and Policing Act 2014 responsibly and proportionately, and only where necessary to protect the public."

7. If a ban on cycling is being considered, it is therefore necessary for the Council to identify how cycling through the restricted area has a detrimental effect on the quality of life of those living in the locality, that is persistent or continuing and unreasonable. To that extent, with respect, your consultation is flawed from the outset.

8. Pursuant to Section 72(3) of the Act the Council are required to carry out necessary consultation and publicity before making an order. The consultation page on CCC's website indicates that CCC are considering making a PSPO "to try and reduce certain types of anti-social behaviour". Given that one of the proposed restrictions is upon cycling (not anti-social cycling), there is accordingly an assumption from the outset that the activity CCC seek to restrict, which is of course a legal mode of transport, is anti-social.

9. Reference is made to CCC having the option to create a PSPO, but those whose opinion is sought are not informed that the option is only available to CCC where the activity it seeks to restrict (cycling) is of such a persistent and continuing nature as to be unreasonable, and be so detrimental to the quality of life of others in the locality that a restriction is justified.

10. The online survey demonstrates CCC's failure to address the correct legal test. The introduction and background page refers to complaints regarding issues in the city centre, and PSPOs allowing better control of these issues. The fact that members of the public might be slightly annoyed by another activity is not a legal justification under the Act to ban otherwise lawful activities. Any number of people might be aggravated or annoyed by others smoking as they walk along the pavement, or texting as they traverse the pedestrianised area oblivious to other people's movements. That does not justify a legal restriction under the Act, which can only be triggered by persistent anti-social behaviour which is detrimental to others' quality of life (as opposed to being annoying), and which justifies a legal restriction.

11. Making a legal activity such as cycling illegal, because a few might cycle irresponsibly, is akin to banning all pedestrians because some will be drunk or inconsiderate, or all car drivers because some will be driving carelessly. There were apparently 11 complaints to CCC over a 12 month period prior to the commencement of this consultation regarding the

behaviour of cyclists in the city centre. If I present you with 11 complaints regarding car drivers within the city centre for the same period, will CCC consider a PSPO banning all motorists?

12. Section six of the online survey fails to ask those responding whether they agree that cycling or skateboarding in the city centre are anti-social. There is no attempt to ascertain whether people perceive that such activities are detrimental to their quality of life per se, or whether there is a particular issue with certain groups or individuals at certain times. There is merely an assertion that cycling is an activity which "can cause problems in inappropriate locations". That assertion is not supported by CCC's own impact assessment, which, to the extent that it does suggest that there are any concerns, reflects a limited concern from some regarding inappropriate behaviour by a minority of people. There will be some people inappropriately drunk next weekend in Coventry city centre. That is a certainty. There will be some people driving inappropriately next week. That is not a reason to close all the pubs, ban alcohol, and impose blanket bans.

13. Your survey question effectively asserts that the riding of a pedal cycle in a pedestrian area is, per se and by definition, anti-social. You do not ask whether someone riding a pedal cycle in a pedestrian area was doing so in an anti-social manner, or to use the words of the Act, in a manner which has a detrimental effect on the quality of life of those living in the locality, which is persistent or continuing and unreasonable. You just assume it was and ask a question designed to confirm that assumption.

14. If there have been particular issues, in certain areas of the city centre, with particular individuals or groups of people. It is their behaviour not their mode of transport which should be addressed. During the passage of this legislation through Parliament concerns were raised regarding whether Councils would realise that the legislation was not meant to be used to restrict access to public space. Re-assurances were given by government ministers that Councils were responsible enough to use their new powers appropriately, and that blanket bans would be "the nuclear option", and "a last resort". Now we have the spectacle of the Act being used as a busybodies charter, to make illegal that which is a perfectly legal activity. And restrict access to public space.

15. The Department for Transport guidance makes it clear that there is no justification for excluding cyclists from pedestrianized areas
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/329150/tn-2-08_Cycle_infrastructure_design.pdf (section 4.3 onwards). The Act was not designed to render unlawful otherwise lawful activities, or means of transport. Accordingly, even if there have been any incidents of anti-social behaviour which involve someone on a pedal cycle,

then as cycling in itself is not an unreasonable activity, it would be necessary for CCC to show that the anti-social behaviour occurred at such a detrimental level that allowing it to continue would have such an effect as to make cycling as a general activity unreasonable.

16. That would have to include a proportionate evaluation of the consequences for others including those with disabilities or mobility issues using adapted cycles, who have difficulty walking, and for whom a cycle or adapted cycle is a mobility aid (please re-consider your Equality Act obligations, which Mr Avery has touched upon, and which we would respectfully suggest CCC have failed to adequately appreciate). It would also have to include consideration and evaluation of those who cycle slowly and responsibly through the pedestrian area, without ever behaving anti socially or irresponsibly. Perhaps CCC should consider why Mr Avery, a man with a mobility issue, should be criminalised for use his bicycle in Coventry city centre as a mobility aid, if he has always ridden his bicycle responsibly whilst in the city centre in the past. Is that a justifiable restriction under the Act, and was that the type of restriction contemplated by Parliament when this legislation was passed?

17. I would stress that there is a huge difference between banning cycling and banning anti-social cycling, and that the position Cycling UK adopt is that the Act was not designed to allow PSPOs to be used to regulate means of transport and activities such as cycling. I would invite CCC to consider whether PSPOs should be used to regulate traffic, which appears part of the purpose of this order, or whether particular behaviour requires more specific attention or enforcement, rather than a total ban on a healthy, sustainable means of transport and legal activity.

18. For the sake of brevity, and as I am aware that others have made separate representations, I will merely summarise other points which Cycling UK would consider in any legal challenge to a PSPO imposing such an extensive restriction on cycling, or in response to enforcement action:

- a. This proposal is not compliant with CCC's public sector Equality Act duties;
- b. This proposal is inconsistent with CCC's own stated commitments to sustainable travel, and indeed public health outcomes;
- c. This proposal risks pushing cyclists out onto dangerous and busier roads, which presents vulnerable user road safety issues;
- d. The consultation document is inherently flawed, for the reasons outlined within these submissions;

- e. There has been a failure to consult, adequately or at all, with local cycling groups, vulnerable road user groups, or indeed with those promoting sustainable transport for all, including those with disability / mobility issues.

14 January 2017

Duncan Dollimore

Senior Road Safety and Legal Campaigner

Cycling UK