

Cabinet Member for Community Safety and Cohesion

17 June 2026

Name of Cabinet Member:

Cabinet Member for Community Safety and Cohesion

Director approving submission of the report:

Director of Law, Governance and Safer Communities

Ward(s) affected:

St Michaels.

Title:

Approval to Consult on Renewal of Coventry City Centre Public Spaces Protection Order (PSPO)

Is this a key decision?

No. However the decision to approve the order following consultation will be a key decision.

Executive summary:

The Coventry City Centre Public Spaces Protection Order (PSPO), introduced under the Anti-Social Behaviour, Crime and Policing Act 2014, is due to expire in November 2026. The Order has provided an established framework for addressing anti-social behaviour and public nuisance within the city centre.

This report seeks approval to undertake a period of public and stakeholder consultation on a proposed renewal of the PSPO. The proposed Order retains effective existing provisions while introducing a revised, behaviour-based approach to ensure the Order remains proportionate, enforceable, and legally robust.

Key changes proposed include:

- A shift from activity-based prohibitions to a behaviour-based approach, focusing on conduct that causes harassment, alarm or distress.
- New provisions to regulate the use of amplification equipment.
- New controls on temporary structures such as gazebos and stalls.

- Retention and refinement of provisions relating to busking, cycling, and e-bikes.

The proposed approach reflects current legal guidance, operational experience, and evidence on effective enforcement practice.

Recommendations:

The Cabinet Member for Community Safety and Cohesion is recommended to:

1. Authorise officers to undertake a 4-week city wide public and stakeholder consultation on the draft PSPO proposals as detailed in Appendix 1.
2. Note that a further report will be brought forward following consultation, setting out the results and any proposed amendments prior to approval and implementation.

List of Appendices included:

The following appendices are attached to the report:

Appendix 1 – Draft Proposals Coventry City Centre Public Spaces Protection Order & Restricted Area Maps.

Appendix 2 - Consultation & Engagement Plan

Appendix 3 – Draft Equality Impact Assessment

Background papers:

Other useful documents

- [Cornerstone Barristers - Banning begging in injunctions and PSPO's](#)
- [Birmingham City Council \(Control of Noise on the Street\) PSPO \(2025\)](#)
- [Crime and Policing Act 2026: anti-social behaviour \(ASB\) factsheet](#)
- [Anti-social behaviour powers: Statutory guidance for frontline professionals \(Pg 64-76\)](#)
- [Court of Appeal clarifies the meaning of 'antisocial behaviour'](#)

Has it or will it be considered by Scrutiny?

No – Scrutiny will consider the outcome of the consultation and the final recommendations prior to consideration by Cabinet.

Has it or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report Title: Approval to Consult on Renewal of Coventry City Centre Public Spaces Protection Order (PSPO)

1. Context (or background)

- 1.1. The Coventry City Centre Public Spaces Protection Order (PSPO) was introduced to address behaviours that have a detrimental effect on the quality of life of those living in, working in, and visiting the city centre. The current Order is due to expire in November 2026 and requires renewal to ensure that appropriate powers remain in place to manage anti-social behaviour and public nuisance.
- 1.2. The current City Centre PSPO was introduced under the Anti-Social Behaviour, Crime and Policing Act 2014 to address behaviours occurring within the city centre that were having a detrimental effect on the quality of life of those who live in, work in, or visit the area.
- 1.3. While the Order has provided a useful enforcement framework, operational experience, partnership working, and evolving legal guidance indicate that aspects of the current provisions are no longer aligned with best practice and present increasing legal and practical limitations. In particular, there is a need to ensure that restrictions are clearly focused on behaviours that meet the statutory test of causing harassment, alarm, or distress, and that they are proportionate, enforceable, and legally robust.
- 1.4. The proposed renewal therefore presents an opportunity not only to extend the Order, but to modernise its approach and ensure it remains effective in addressing current and emerging issues within the city centre.
- 1.5. The proposed PSPO retains a number of existing provisions that continue to be effective, whilst introducing a revised approach to certain behaviours and new measures to address issues that have become more prominent in recent years.
- 1.6. A key change within the proposed Order is the move away from activity-based prohibitions, such as blanket restrictions on begging or unauthorised collections, towards a behaviour-based framework. Under this approach, the focus is placed on conduct that results in harassment, alarm, or distress, rather than the mere act of requesting money or being present within the city centre.
- 1.7. This change reflects a deliberate shift towards targeting the impact of behaviour on others, rather than the status or circumstances of the individual. It ensures that enforcement action is reserved for situations where there is clear evidence of harassment, alarm or distress.
- 1.8. The proposed Order also introduces new provisions to address the use of amplification equipment and the erection of temporary structures such as gazebos and stalls, both of which have been identified as sources of complaint and disruption within the city centre.

- 1.9. Existing provisions relating to busking, cycling, skateboarding, and the use of e-bikes and e-scooters are retained, with minor refinements to ensure clarity and enforceability.
- 1.10. The proposed changes are underpinned by legal, evidential, and operational considerations.
- 1.11. The Anti-Social Behaviour, Crime and Policing Act 2014 requires that PSPOs address behaviours that have a detrimental effect on the quality of life of those in the locality and are unreasonable in nature. Provisions based solely on the absence of a licence or permission do not consistently meet this threshold and risk undermining the legal robustness of the Order.
- 1.12. There is also a growing evidence base, including research from Sheffield Hallam University (see useful documents), which indicates that enforcement approaches focused on behaviours such as begging do not lead to long-term reductions. Instead, they often result in displacement, repeated enforcement activity involving the same individuals, and limited progression through the courts due to the vulnerability of those involved.
- 1.13. This position is reinforced by relevant case law, including the European Court of Human Rights judgment in *Lăcătuș v Switzerland* (see useful documents), which highlights the importance of ensuring that restrictions are proportionate and do not unduly interfere with an individual's dignity or rights, particularly where such behaviour is linked to survival.
- 1.14. From an operational perspective, the current approach has required significant officer time to address repeated low-level activity that does not ultimately result in meaningful enforcement outcomes. This has implications for the effective use of resources and the credibility of enforcement activity.
- 1.15. The proposed behaviour-based model addresses these issues by focusing on conduct that clearly meets the threshold of causing harassment, alarm, or distress, thereby enabling more targeted, proportionate, and effective intervention.

2. Options considered and recommended proposal

- 2.1. **Option 1:** Do nothing and allow PSPO to expire. This option would remove an established enforcement framework and reduce the Council's and partners' ability to respond effectively to anti-social behaviour within the city centre. **Not recommended.**
- 2.2. **Option 2:** Consult on revised, behaviour-based approach (**recommended**)
This option proposes a public and stakeholder consultation of the PSPO with amendments to improve effectiveness, proportionality, and legal robustness.

Key elements include:

- Replacing existing prohibitions on begging and related activities with a behaviour-based restriction focused on conduct that is aggressive, harassing, or intimidating.

- Introducing a prohibition on the use of amplification equipment without Council authorisation.
- Introducing controls on temporary structures to prevent obstruction & congestion.
- Retaining and refining existing provisions relating to busking, cycling, skateboarding, and e-bikes.

This approach ensures enforcement is targeted at behaviour that meets the statutory threshold of causing harassment, alarm, or distress, rather than lawful activity.

The proposed approach will provide a clearer and more legally robust framework for enforcement, ensuring that the Council's use of PSPO powers is aligned with statutory requirements and current legal guidance.

In addition, the revised approach will support more efficient use of officer time by reducing the need for repeated engagement in situations where enforcement is unlikely to be progressed, allowing resources to be directed towards activity that delivers meaningful outcomes and supports improved public confidence.

3. Results of consultation undertaken

- 3.1. No public consultation has been undertaken at this stage.
- 3.2. Subject to approval, consultation will take place between 29 June 2026 and 26 July 2026 and will include engagement with:
 - o Residents
 - o Businesses and the Business Improvement District
 - o West Midlands Police and Police & Crime Commissioners Office
 - o Community and voluntary sector organisations
 - o Elected Members and internal stakeholders
 - o Police & Crime Commissioners Office

The consultation will be delivered through a combination of online and face to face engagement. Please see Appendix 2 which outlines the proposed consultation and engagement plan.

4. Timetable for implementing this decision

- 4.1. Appendix 2 outlines the proposed timetable of process and implementation. The outcome of the consultation process will be the subject of a further report to Cabinet.

5. Comments from Director of Finance and Resources and Director of Law, Governance and Safer Communities

Financial Implications

- 5.1. There are no direct financial implications arising from this report. Consultation costs will be met from existing service budgets.

Legal Implications

5.2. Before making, extending or varying a PSPO, the Council must comply with the statutory consultation and notification requirements in the 2014 Act and associated Regulations. This includes consulting the Chief Officer of Police, the Police and Crime Commissioner, appropriate community representatives, and (where practicable) landowners or occupiers, publishing the proposal, and taking consultation responses into account. For a city centre renewal, consultation should be accessible to stakeholders and the wider public, and clearly explain the proposed restrictions, the area covered, and the reasons and evidence for renewal.

5.3. Failure to meet the statutory tests, consultation duties or procedures carries legal risk. An Order may be challenged in the High Court within six weeks of it being made, varied or extended. There is also a risk of judicial review if the Council cannot demonstrate reasonable grounds based on relevant and current evidence; a persistent or continuing detrimental effect on quality of life; necessity, justification and proportionality of restrictions; proper consultation and publication; and due regard to equality and human rights.

6. Other implications

6.1. How will this contribute to the One Coventry Plan?

The proposals support:

- Improving outcomes and tackling inequalities through a proportionate enforcement approach
- Improving economic prosperity by enhancing the city centre environment
- The Council's role as a partner and leader through collaborative working

6.2. How is risk being managed?

Risks include legal challenge, ineffective enforcement, and reputational impact. These are mitigated through a behaviour-based approach, alignment with legal guidance, and a robust consultation process.

6.3. What is the impact on the organisation?

There are no significant impacts on staffing, ICT, or assets. The proposals are expected to improve operational efficiency.

6.4. Equalities / EIA?

Appendix 3 outlines a draft Equality Impact Assessment.

6.5. Implications for (or impact on) climate change and the environment?

None

6.6. Implications for partner organisations?

The proposals support joint working with West Midlands Police and other partners by providing a clearer and more effective enforcement framework.

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