

APPENDIX 1 – PSPO consultation results and feedback summary table

Proposed PSPO term	Feedback summary from consultation		Council Response
1. Dogs			
a) Any person in charge of a dog, at any time, must keep the dog on a lead	In Favour	<p>19.6% of respondents* said that dogs not being on leads is a problem</p> <p>Dogs in a built up or public area should be kept under control to ensure that all users of a public space can enjoy it. Many people are scared of or bothered by dogs (including other dog owners themselves) and keeping dogs on a lead is necessary to avoid nuisance and ensure the health and safety of the public.</p>	<p>It is not reasonable for all dogs to be kept on a lead at all times, some dogs need more exercise than others and being off the lead enables this. Taking in to account animal welfare we propose this should be amended to state that dogs should be under control rather than on a lead at all times.</p> <p>Old Dog Control Orders (which are now superseded by PSPOs) covering the city stated that owners should put their dog on a lead when requested to do so by an authorised person, we propose that this PSPO replicate the old Dog Control Order for this part of the dog provisions.</p> <p>This provision is in no way relating to rough sleepers, it is directed at the control of dogs to keep the general public safe and prevent nuisance.</p>
Against	<p>75% said that dogs not being on leads is not a problem</p> <p>It is necessary to be able to have some open space where dogs can be exercised off the lead. Dogs should be allowed to run free in certain areas if owners are responsible. Responsible users of parks and green spaces would be penalised by a complete “dogs on leads” restriction.</p> <p>Some comments referred to this restriction being proposed in order to target rough sleepers who have dogs.</p>		
b) Any person in charge of a dog, at any time, must not allow it to enter or remain in any children’s play park	In Favour	<p>27% said dogs in childrens play parks is a problem</p> <p>Children’s play parks should be a safe place for children to enjoy. Again some children are scared of dogs and dogs can pose a potential safety issue around small children, as well as dog mess being hazardous. Dogs and their owners have full use of the wider parks and open spaces; therefore a restriction on the smaller areas of children’s play parks is not unreasonable.</p>	<p>Whilst it is important for dog owners to have sufficient space to exercise their pets, it is also important for children to have a safe and clean area to play. Children’s play parks are usually a small area of larger parks. We propose that this provision stands and that dogs should not be allowed in play parks where the play park is a fenced off area. This provision is already in place under old Dog Control Orders and signage already exists on most of these parks, therefore this PSPO</p>

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	Against	<p>45% said dogs in childrens play parks is not a problem</p> <p>One respondent commented on dogs being family pets and that a single parent taking their child to a park should be allowed to take the dog in to a children’s play area and that dogs should be under control, not banned. There was some query on whether this applies to all parks which include children’s play equipment. Some parks are fenced off where the play equipment is but others are not.</p>	will simply continue the current rule.
c) Any person in charge of a dog, at any time, must clean up any faeces deposited by that dog	In Favour	<p>57% said dog fouling is a problem</p> <p>Dog fouling is the biggest dog related, but preventable, problem. The city a safe and clean place for everyone to use. Dog mess presents a health hazard.</p> <p>Many comments suggested that unless action is taken against irresponsible dog owners this issue will continue and that dog fouling continues to be a problem despite everyone knowing it should be cleared up.</p>	Dog fouling continues to be an issue and is one of the top reported issues in feedback from residents. In order to keep the city a safe and clean place, we propose to include the dog fouling provision in this PSPO, again to continue the rules already in place under old Dog Control Orders.
	Against	<p>35% said dog fouling is not a problem</p> <p>Responsible dog owners who clean up after their pets commented that irresponsible owners are the problem. Comments against this proposal stated that most dog owners are responsible and that people already know that they should pick up after their dog; therefore enforcement should be targeted to those who do not.</p>	
<p>Additional comments</p> <p>Many comments in relation to the dog restrictions state that they are “common sense” and “reasonable” to ensure the safety and enjoyment of all in a public space.</p> <p>Some disagreed with these proposals, stating that there are already provisions for dogs in place.</p> <p>Several comments that dogs being on leads should apply to built-up areas such as the city streets but not to green open spaces.</p> <p>Some comments that on the spot fines would be the only way to encourage people to be more responsible.</p>			<p>Dog Control Orders, which provided for current rules relating to dog nuisance to be put in place, have been repealed and are superseded by PSPOs.</p> <p>Taking in to account all of the comments received, we propose to keep the current provisions of Dog Control Orders as part of this PSPO.</p>

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<p>Proposed Area 86.75% of respondents to the online consultation felt that the dog provisions should be included in a PSPO. 50% felt it should cover a wider area than the city centre.</p>		<p>We propose that this provision will apply to the entire city.</p>
<p>2. Alcohol</p>		
<p>Any person shall stop drinking alcohol, or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by a constable or an authorised person in order to prevent public nuisance or disorder</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">In Favour</p>	<p>65% of respondents said that alcohol related nuisance is a problem</p> <p>Drinking in the streets has numerous associated issues which cause a nuisance, often including noise, littering and anti-social behaviour, sometimes escalating to violence or disorder. These issues prevent the general public from feeling safe in our city centre and fail to provide a welcoming environment for residents and visitors alike.</p> <p>A restriction in order to prevent or tackle nuisance will make the city a safer and more enjoyable place to be. Many respondents were in favour of this to create a more pleasant, less threatening environment for the general public, saying that it is unnecessary to drink alcohol in a public place, especially the city centre when there are many licensed premises, and that residents and visitors will feel safer knowing that issues are being addressed.</p> <p>Several commented that street drinking in the city is a big problem but that powers should be discretionary and only used when nuisance is caused or likely to occur.</p> <p>One comment from a licensee stated “there is no place for alcohol as people walk the streets, [sensible consumption] can’t be controlled outside licensed premises”.</p>
		<p>65% of respondents said that this is a problem and figures from the Police show that rates of alcohol related nuisance is high, with almost 2,300 alcohol related incidents occurring in the proposed PSPO area in the last 2 years. From consultation feedback, many respondents named locations outside of the city centre too for hotspots of alcohol related issues in public spaces.</p> <p>In relation to offering support to groups of “street drinkers”, Change Grow Live are Gloucester’s providers of drug and alcohol support and they conduct regular outreach across the city and specifically the city centre to offer support, and work with those willing to engage with services. Street Aware, a partnership between the council, police and support agencies, also operates across the city centre and engages with people seen on our streets on a daily basis.</p> <p>Most respondents felt that an alcohol provision should apply to the entire city as enforcement would only take place when nuisance occurs.</p> <p>An existing Designated Public Place Order (DPPO) applies to the city centre and other specific locations in the wider city. DPPOs have now been</p>

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	Against	<p>31% said that alcohol related nuisance is not a problem</p> <p>Comments against this restriction focussed on objection to a complete alcohol free zone, stating that the city centre is a social area and this should be taken in to consideration and that a restriction on alcohol should be targeted towards people causing a disturbance rather than all drinkers.</p> <p>One comment mentioned that rugby attendees are probably the biggest on street drinkers and are generally pleasant.</p> <p>Other respondents focussed on “street drinkers” as a group and felt that this restriction would victimise a group who should instead be offered support to address the root causes of alcohol misuse.</p> <p>Some comments also stated that there are laws in place already covering this issue.</p>	<p>superseded by PSPOs so if we want this provision to continue then it must be implemented in a PSPO.</p> <p>Weighing up the responses both for and against an alcohol provision, we propose that this provision is included citywide in a PSPO and that an alcohol free zone be considered for the city centre streets where higher rates of alcohol related nuisance are evidenced.</p>
<p><u>Additional comments</u></p> <p>There were comments relating to events in the city centre and that these should still be allowed to continue to serve alcohol e.g. the Christmas market serving mulled wine. There was query over whether an alcohol restriction would apply to events in the PSPO area.</p> <p>Most commented that this restriction should apply to all parks and open spaces because the restriction as proposed would not prevent people having a quiet responsible drink and enforcement could only be taken in relation to nuisance.</p>		<p>An alcohol free zone would not apply to specific events held in the designated area, providing that the organisers have been granted a license or authorisation by the licensing team at Gloucester City Council.</p> <p>A wider provision to deal with alcohol related nuisance can be put in place across the whole city.</p>	
<p><u>Proposed area</u></p> <p>74% of respondents agreed that alcohol related nuisance should be included in a PSPO. 39.6% felt it should cover an area wider than the city centre</p>		<p>We propose that a provision to tackle alcohol related nuisance applies to the whole city, with stricter rules (an alcohol free zone) to be considered for the city centre.</p>	
<p>3. Psychoactive</p>			

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Substances		
Any person shall hand over any containers (sealed or unsealed) which are believed to contain psychoactive substances, when required to do so by a constable or an authorised person in order to prevent public nuisance or disorder.	In Favour	<p>45% of respondents said that this is a problem</p> <p>Most respondents in favour agreed with this as a general term, similar to the alcohol restriction proposal, to prevent issues from occurring.</p> <p>A few specific locations were reported via the comments section.</p>
	Against	<p>36% of respondents said this is not a problem</p> <p>Most respondents against this proposal commented that psychoactive substances are now illegal and covered by existing laws, stating that they felt that current powers are sufficient.</p> <p>Other comments centred around addressing the reasons people are using drugs rather than enforce against them</p>
Additional comments		
Many comments focussed on drugs in general, rather than specifically on psychoactive substances	Drug issues should be reported to the police who can address this using existing legislation.	
Proposed area		
77% of respondents felt this should be included in a PSPO. 60% said this should not cover an area wider than the city centre	Psychoactive Substances are now illegal so this issue is covered by existing legislation and the scale of the issue in our city does not warrant it's inclusion in a PSPO.	
4. Begging		

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<p>Any person is prohibited from, at any time, placing himself in a position to receive alms.</p>	<p>In Favour</p>	<p>61% of respondents said this is a problem</p> <p>Begging has become a more prevalent and visible issue in the city, as it has nationally. Most respondents commented on the fact that begging most often occurs to feed drug and alcohol dependency and that giving money to the individual is not the best way to help.</p> <p>Several comments from people who said they feel scared to come in to the city centre or avoid the city centre altogether because they find begging is intimidating.</p>	<p>The City Council adopted the Street Aware approach of “engage, support, enforce” in 2016 to address this issue among other street based nuisance in the city centre. Since this we have seen a great reduction in the number of people seen begging in the city centre and we remain committed to supporting people who need it. In this complex issue this means both those who are affected by begging (e.g. feel intimidated) as well as those who are begging. Street Aware only take enforcement action as a last resort where anti-social behaviour is persistent.</p> <p>This provision was not proposed to “target” the homeless. An array of evidence from members of the public and agencies has shown that begging has caused harassment, alarm and distress to the wider community therefore this provision was proposed to address the anti-social behaviour.</p> <p>We propose to continue with Street Aware and use the existing legislation already available. It would be excessive to include begging as a provision in a PSPO on top of this; therefore we propose not to do so.</p>
	<p>Against</p>	<p>34% said this is not a problem</p> <p>Existing measures are already in place to tackle begging issues in the city and have seen a reduction in the number of people seen begging on the street, as well as offering support to individuals.</p> <p>Some respondents were concerned that this prohibition would displace the problem. Most respondents against this proposed term commented that it is proposed in order to criminalise the homeless. One comment that begging in itself is not an activity that “causes harm”.</p>	
<p><u>Additional comments</u></p> <p>Rather than give money, work together and offer support to people in need Routes of offering support to people? Address causes of homelessness, not the symptom Begging is driven by substance misuse</p>			<p>The City Council remains committed to helping those in need. We continually work with partners in all sectors to co-ordinate joint efforts to support those who need it. Street Aware has found that the vast majority of people seen begging in the city are already</p>

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		housed and that in 100% of cases begging has occurred to fund substance misuse problems. Trends identified through our operational work help to shape our services to be more effective. More information on Street Aware can be found in our Safe & Attractive Streets Policy.
<p>Proposed area 64.9% of respondents said this should be included in a PSPO. 79% felt it should only cover the city centre</p>		We do not propose to include this provision in a PSPO.
5. Peddling/Street Trading		
<p>Any person is prohibited from, at any time, peddling/trading goods without the written permission of the authority, even if licensed.</p>	<p>In Favour</p>	<p>28% said that issues with street trading or peddling are a problem.</p> <p>The necessity of permission having to be given by an authority offers reassurance to customers.</p> <p>There were comments about street traders who descend on the city when a large event is held, and the fact that too many street traders or pedlars can cause a nuisance to shoppers.</p>
	<p>Against</p>	<p>63% said that this is not a problem.</p> <p>The Pedlars Act is in place to ensure that anyone peddling goods must have a license, which is effectively a written permission to trade.</p> <p>Several comments that street trading adds vibrancy to the city centre shopping offer.</p>
<p>Additional comments Properly managed street trading adds charm to the city centre Should be encouraged to make the city centre vibrant and interesting</p>		<p>The Pedlars Act provides for licensing of Pedlars. The City Council has a street trading policy in place for the city centre and enforcement is available under various legislation if rogue traders are identified.</p> <p>The City Council agrees that well managed street trading can add vibrancy to the city. Being mindful of the primary legislation and various policies that are already in place, we do not propose to include this provision in a PSPO.</p>

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<p>Proposed area 62.8% of respondent felt this term should be included in a PSPO. 79.8% said it should only cover the city centre</p>		<p>We do not propose to include this provision in a PSPO.</p>
<p>6. Aggressive Charity Collection</p>		
<p>Any person is prohibited from, at any time, engaging in assertive or aggressive (commercial or charity) collection or soliciting of money in the designated area.</p>	<p>In Favour</p>	<p>51% said that aggressive charity collection is an issue.</p> <p>Most respondents in favour of this commented that charity collectors are annoying, but not aggressive.</p> <p>Several respondents commented that authorised charity collectors are not such a problem but unlicensed collectors collecting for “fake” charities are exploiting loopholes in enforcement, and thus impact on the genuine charity donations.</p>
	<p>Against</p>	<p>41% said this is not a problem.</p> <p>Most respondents felt that asking for contributions for a charity is not wrong in itself and that if collectors do cause a nuisance this would be covered by existing protocols or regulation.</p> <p>One commented that this activity seems to have decreased in the city recently so don’t feel that extra regulation is needed</p>
<p>Proposed area 76% of respondent felt that restrictions on charity collection should be included in a PSPO. 78% felt it should only apply to the city centre.</p>		<p>We do not propose to include this provision in a PSPO.</p>

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<p>7. Littering</p>			
<p>Any person is prohibited from, at any time, littering.</p>	<p>In Favour</p>	<p>71% said that littering is a problem.</p> <p>Chewing gum, cigarette butts and litter are a persistent problem in the city centre. Welcoming and well-kept public spaces are essential to encourage the use of them. We want a clean and inviting city for our residents and visitors.</p> <p>Litter can attract vermin and is a health issue.</p> <p>Many respondents in favour of this commented that it is well known that littering is not permitted and on the spot fines for doing so would seem to be the only way to deal with those who do litter.</p>	<p>Littering is already an offence under the Environmental Protection Act.</p> <p>Subject to approval of Cabinet, a partnership with private company 3GS is to be established to tackle environmental crime including littering. The partnership will incorporate strands of education, community outreach and enforcement where necessary. Littering is regularly one of the biggest issues raised by residents and 71% of respondents to this consultation confirm that they feel some enforcement is necessary to tackle the problem.</p>
	<p>Against</p>	<p>26.7% said littering is not a problem.</p> <p>Respondents against this proposal stated that littering is already an offence and that education would be more effective than enforcement.</p>	<p>A PSPO would duplicate existing primary legislation as well as the potential partnership with 3GS, therefore we do not propose to include littering in a PSPO as it can already be enforced against.</p>
<p>Proposed area</p> <p>86% felt a provision to address littering should be included.</p> <p>57% felt this should apply to the whole city.</p>			<p>We do not propose to include this in a PSPO.</p> <p>Littering will be tackled by another strand of work within the City Council.</p>

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<p>8. Unattended Items</p> <p>Any person is prohibited from leaving items or belongings unattended within the designated area. Unattended items will be removed at the direction of a constable or an authorised person.</p>	<p>In Favour</p>	<p>31% said unattended items in the city centre are a problem.</p> <p>Most respondents commented on potential security risks, with the current terrorism threat meaning that any unattended items would cause panic to the public. Members of the public using the city centre have a right to feel safe when doing so.</p> <p>One comment that if items are left by someone begging then they should be removed but if that person is also homeless then discretion is needed.</p>	<p>Unattended items was included in the consultation due to security threat levels and the amount of items left on the streets which pose a health and safety risk to the wider public, for example items containing used needles, discarded on the street.</p> <p>Police have a process in place for dealing with unattended items that may be suspicious packages.</p> <p>There is also already a process in place under Street Aware to store persistently left unattended items that are not suspicious packages. Items are not disposed of until 7 days has elapsed with no claim made to them. To date in the 2 years since this process began only one person who has left their items unattended has requested them back.</p> <p>Bearing this in mind, we do not propose to carry this provision forward in a PSPO.</p>
<p>Additional comments</p> <p>Unattended items can pose a risk but it is important that unattended belongings linked to sleep sites are not automatically disposed of</p>	<p>Against</p>	<p>56.6% said this is not a problem.</p> <p>Most respondents against this term felt that it was proposed in order to penalise the homeless.</p>	<p>As above, items are stored and not automatically disposed of. We propose to refine the unattended items process used under Street Aware and include it in its own right in our Safe & Attractive Streets Policy.</p>
<p>Proposed area</p> <p>66% felt this should be included in a PSPO. 73% felt is should only apply to the city centre.</p>			<p>We do not propose to include this provision in a PSPO.</p>

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<p>9. Nuisance or anti-social behaviour (ASB)</p>		
<p>Any person shall not behave in a manner that causes or is likely to cause nuisance, harassment, alarm or distress to any other person.</p>	<p>In Favour</p>	<p>60.6% said nuisance or ASB is a problem in the city centre.</p> <p>It is essential that our city is a safe environment for everyone to enjoy. Respondents in favour of this commented that this provision would be a good way to prevent behaviour from escalating and could free the police up to deal with more serious matters.</p>
	<p>Against</p>	<p>34.7% said nuisance or ASB is not a problem in the city centre.</p> <p>There are already several criminal powers in place that can address criminal and anti-social behaviour, as well as civil powers that the council can use for persistent cases of ASB.</p>
<p>Additional Comments Some were concerned that this could be used to suppress freedom of speech and freedom of assembly</p>		<p>The ASB, Crime and Policing Act which gives provision for PSPOs specifically states that the City Council must have particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Human Rights Convention.</p>

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<p>Proposed area 75% agree that this provision should be included in a PSPO. 56% felt that this should only apply to the city centre.</p>		<p>We do not propose to incorporate this in to a PSPO.</p>
<p>10. Direction to Leave</p>		
<p>Any person, when directed to do so by a constable or authorised person in order to prevent public nuisance or disorder, shall leave the designated area.</p>	<p>In Favour</p>	<p>32% said that people not leaving the city centre when directed to, is a problem.</p> <p>Most in favour of this commented that it will help the Police to disperse people who are causing a problem, and that a direction to leave power is necessary to help keep the peace.</p>
	<p>Against</p>	<p>36% said that people not leaving the city centre when directed to, is not a problem.</p> <p>Dispersal powers are available to the Police to tackle specific issues if authorised by a senior officer.</p> <p>Most responses against this proposal focussed on the potential displacement of issues, and concerns that this power may be used to move on ‘undesirable’ people without reason.</p> <p>One comment said “the streets belong to everyone, it is not for anyone other than the police to decide whether a person should be allowed to use them”</p>
<p>Proposed area 67% felt that this should be included in a PSPO. 66% felt it should only apply to the city centre.</p>		<p>We do not propose to include this in a PSPO.</p>

*Percentages given are that of respondents to the online consultation survey