

Licensing Committee

28 MAY 2019

PRESENT: Councillor S Renshell (Chairman); Councillors T Mills (Vice-Chairman), M Collins (In place of J Brandis), S Lambert, S Morgan, G Powell and Sir Beville Stanier Bt (ex-Officio)

APOLOGIES: Councillors P Cooper, M Hawke, L Monger and B Russel

1. CHANGES TO MEMBERSHIP

The Chairman welcomed Councillor M Collins as a permanent member of the Committee in place of Councillor J Brandis.

2. MINUTES

RESOLVED –

That the Minutes of the meetings held on 18 March 2019 and 15 May 2019 be approved as a correct record.

3. REVIEW OF PUBLIC SPACE PROTECTION ORDERS

The Committee received a report which sought views from Members on the extension of Public Space Protection Order (PSPO) for Aylesbury town centre and the variation of PSPOs in place for Alfred Rose Memorial Park, Bedgrove Park and Edinburgh Playing Fields. The variations included the prohibitions on the use of mechanically propelled vehicles that had or may be capable of causing nuisance within the park. Maps of the areas were included in the officer's report.

Local authorities were responsible for the making of PSPOs and were created if the Council was satisfied that there was an evidence base for their use. PSPOs needed to specify the public space that the prohibitions applied to, require people to do or not do something, and can apply at all times/circumstances or within specified times/circumstances. The making, extending, or variation of a PSPO required the Council to consult with the Chief Office of Police, the Police and Crime Commissioner, appropriate community representatives and the owner/occupier of the land within the restricted area. AVDC had a number of PSPOs in place in the Vale, for instance the centres of Aylesbury, Buckingham, Winslow and Aston Clinton, in addition to a significant number in parks and greenspaces.

The report outlined the existing Aylesbury Town Centre PSPO which was made in November 2016 and it needed to be reviewed prior to its expiration in November 2019. Prior to expiration, a decision needed to be made as to whether the PSPO should be extended further, vary its existing scope, discharge it or allow it to lapse. Officers had made enquiries with policing teams in the town centre and they had indicated a preference for the PSPO to remain in place. Persistent street drinking was an issue in the town centre and was associated with anti-social behaviour so may be within the scope of the PSPO's terms. The intention was for a consultation to be run on the basis that the order be extended for a further three years. Proposed consultees would be invited to complete a questionnaire and the Council's media channels would promote the consultation wider. The consultation would commence from 3 June for six weeks until 14 July 2019. The results would be reported back to the Licensing Committee at their meeting in September 2019 for a final decision on the PSPO.

The orders in place for Alfred Rose Memorial Park, Bedgrove Park and Edinburgh Playing Fields were converted from Designated Public Place Orders in October 2017 and related solely to prohibitions on the consumption of alcohol. Officers had received complaints on the use of motor bikes, including scrambler bikes and mini motos, and, on occasion, cars accessing and driving around these parks. There had also been an incident of a TVP Special Sergeant being seriously injured by a quad bike at Alfred Rose Park in September 2017. AVDC were, therefore, supportive of a variation on the PSPO to prohibit the use of such vehicles in these three parks. A draft questionnaire would be circulated for consultation with the timescales being the same as the Aylesbury Town Centre consultation.

Members sought more information and were advised that:-

- i. Enforcement of vehicle nuisance was discretionary and based on circumstance so would not affect those with permission (e.g. fairs or community events). At this stage, it was not possible to include remote control cars and drones in this as there were no reported issues and PSPOs could only be used on evidence based historic disturbances rather than pre-emptively.
- ii. There were no signs of anti-social behaviour being dispersed out from the PSPO areas.
- iii. Issues at St Mary's Church, Aylesbury, were due to a lack of enforcement and it was hoped improved signage would discourage this.
- iv. License Holders were expected to be aware of PSPOs in the area they operate.
- v. The Safeguarding Board would be considered as an additional consultee during the process.
- vi. Officers were currently categorising all orders for their transfer over to the new Buckinghamshire Council.
- vii. Including professional begging and aggressive begging into PSPOs was difficult for various reasons. This included the fact that aggressive begging was a criminal offence so therefore beyond the scope of the civil nature of PSPOs. There was also the desire to not be seen to criminalise homelessness. It was noted that professional beggars were organised and rotated people outside high footfall areas. Efforts would be better focussed to educate the public on this issue and encourage donations through charities. Officer advice was that there were 12 reported beggars in the Vale up to 6-7 weeks ago. Members did comment that there was a public perception that the Council was not tackling the issue.
- viii. Walton Court Park would be labelled more clearly on the questionnaire.
- ix. It was not intended for the questionnaire to be posted out to local residents within the PSPO and to do so now would be costly and challenging in terms of timeframe due to the consultation starting on Monday 3 June. There was also a fear of missing out households through this direct method. The questionnaire would be available electronically and would be circulated through AVDC's Comms Team. The Principal Licensing Officer would also liaise with Comms regarding the Council's Aylesbury Vale Times newsletter and see whether its next circulation coincided with the consultation period.

Members had detailed discussion on the issue of professional and aggressive begging and were advised regarding the possibility of including this in PSPOs. Advice from officers was that this would be unlikely so Members decided to move discussion on as it was outside the scope of the meeting. However the Committee saw merit in further discussion being had on professional and aggressive begging in future and inviting input from Councillor Mark Winn due to the work he had carried out under his Cabinet portfolio.

RESOLVED –

That the Licensing Committee's comments be noted prior to the commencement of the consultation.