



# **Town Centre - Public Space Protection Order Review**

**Report by Consultation & Research Team  
December 2021**

## **1. Background**

The current Public Spaces Protection Order (PSPO) for Bolton town centre is due to expire in February 2022. Bolton Council propose to extend the PSPO for another three years (the maximum allowed by law), keeping all the current restrictions in place. As part of the review process, Bolton Council wanted to engage Bolton residents and stakeholders in a public consultation, enabling reflections to be made on whether the current restrictions should be extended for a further three years. The public consultation would also form part of a review the Council are undertaking of the PSPO, to ensure the prohibitions within the order remain proportionate and effective. The responses received as part of the consultation will be used alongside other information to help the Council decide whether to extend the Town Centre PSPO or not.

## **2. Methodology**

Between the 16<sup>th</sup> November and 13<sup>th</sup> December 2021, the Council ran a public consultation, seeking to engage residents and stakeholders that access the town centre, in reviewing whether the current PSPO reduces anti-social / undesirable behaviour in Bolton town centre, making it a more attractive place to live, visit, work, study or do business in. In addition, participants were asked to reflect on whether an extension of the current PSPO should be implemented for a further three years.

During that period a comprehensive communication plan was implemented to raise awareness of the proposal across the borough, with a strong emphasis on engaging local residents, businesses, young people and stakeholder partners. An email was also distributed to all stakeholders, including the Vision Partnership and Elected Members. Supporting documentation was made accessible on the Council's consultation webpages and social media was heavily utilised throughout the period to share key messages about the consultation. The social media post had the potential of reaching 18,113 residents on Facebook and Twitter. 593 residents actively engaged in the posts throughout the consultation. Our analysis found that there was greater engagement on the Facebook platform, with engagement rising when residents shared the post. Greatest engagement took place between the hours of 9am – 10am and lunchtimes (mid-week), as well as on Sunday mornings.

In addition, 500 leaflets were distributed by the Community Safety Team, Civil Enforcement Officers and the Town Centre Marshalls as part of the face-to-face engagement with members of the public (see Appendix A). Furthermore, the Engagement Team raised awareness through face-to-face activities in the town centre and with stakeholder partners.

Participants were surveyed using a questionnaire tool made up of open and closed questions, over a period of 4 weeks, providing respondents the opportunity to reflect and share their thoughts on the extension. The questionnaire was made available both digitally and offline, with the questionnaire being accessible on the Council's consultation web page, as well as in hard copy format, on request. An additional survey, using several questions from the original questionnaire, was distributed, targeting young people, specifically around the behaviour of non-motorised vehicles.

\*Copies of the questionnaires are included at the end of this document, located in Appendix B.

### **3. Consultation responses**

A number of open-ended questions were included in the questionnaire to give respondents the opportunity to comment on the extension and comment on whether the PSPO area is geographically correct for the extension period.

Throughout the consultation period the following responses were received:

- 126 completed electronic questionnaires from residents and stakeholders
- 20 completed electronic youth questionnaires completed.
- 3 separate email response from stakeholder organisations (Greater Manchester Police, Bolton Public Health and Liberty). Please refer to Appendix C

#### **Analysis notes**

- Results are presented in the questionnaire format with 'Don't know' type responses removed unless stated.
- Comments have been categorised where feasible. Unless otherwise stated, categories with 10 or more responses are shown. Categories may overlap and a comment from one respondent included in multiple categories. A sample of comments [verbatim] are included in the report. Comments may be abbreviated so that only the relevant extract is included. One comment may be coded into multiple categories, and each category may only cover a certain aspect of the

comment, for example a respondent may have made both positive and negative comments about the same aspect.

- Base: unless otherwise stated the base is the number of respondents to a particular question.
- Data has been validated where appropriate, e.g., comments moved into existing responses.

## **Digital survey responses**

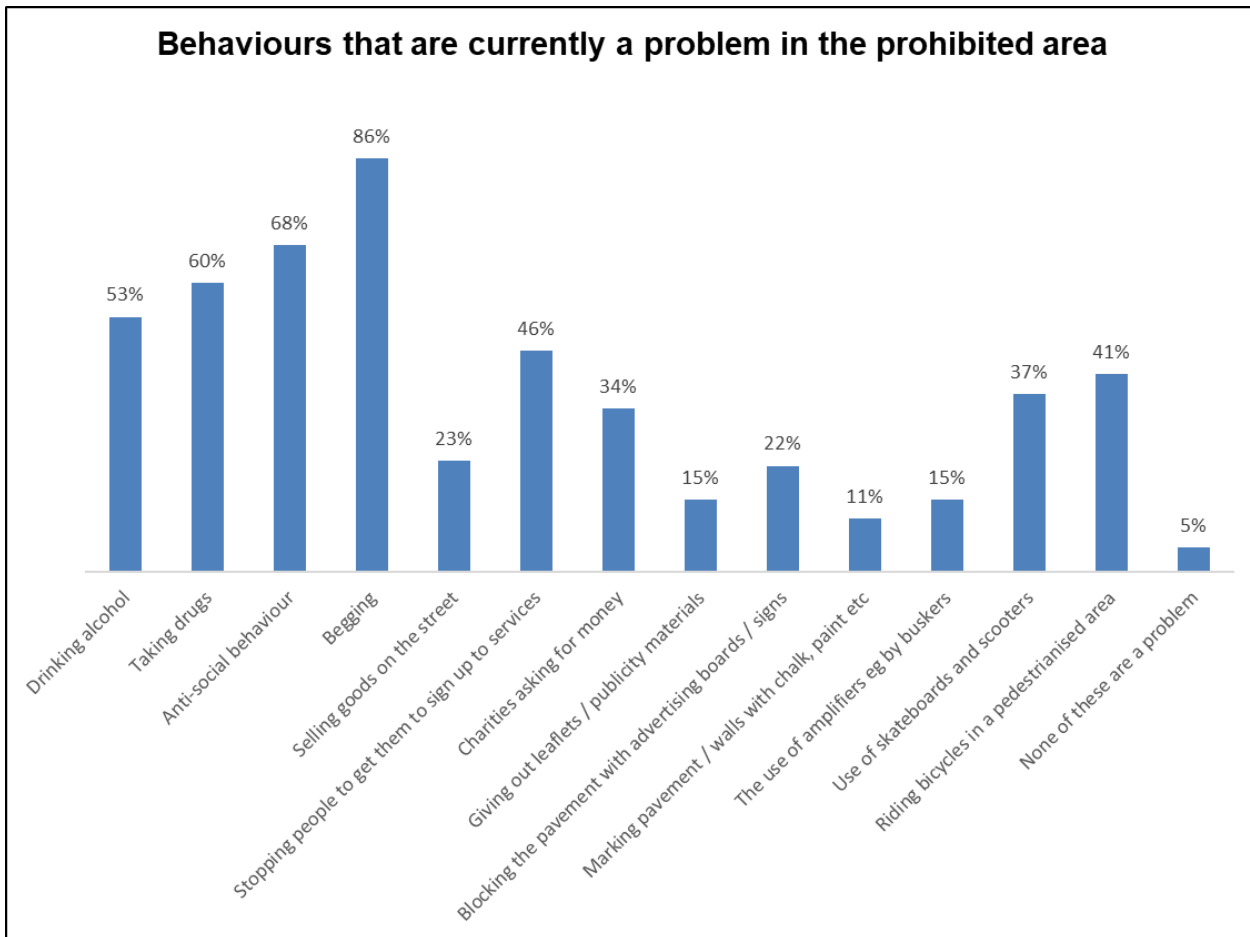
A total of 146 residents and stakeholders took part in the digital surveys, outlining their reflections on the proposed extension of the Town Centre Public Space Protection Order.

### **4a. 'Behaviours'**

The current Town Centre PSPO aims to stop anti-social behaviour from all public areas within the boundary area. However, there are exemptions, for example skateboarding is allowed within the skate park and drinking alcohol is allowed within licensed premises such as pubs. As part of the consultation process the team wanted to ascertain to what degree stakeholders and residents felt that individual behaviours were still a problem and to what extent the current PSPO has helped reduce behavioural problems.

### **4b. Current problem behaviours**

126 residents and stakeholders provided feedback on what behaviour areas they felt remained an existing problem within the Town Centre PSPO boundary. The top three problem areas identified were begging (86%), anti-social behaviour (68%) and drug taking (60%). The areas identified as having the least issues were walls and pavements being marked (11%), the use of amplifiers (15%) and leaflets/publicity material being distributed (15%). It should be noted that 5% of respondents felt that there were no behavioural concerns in the PSPO boundary.



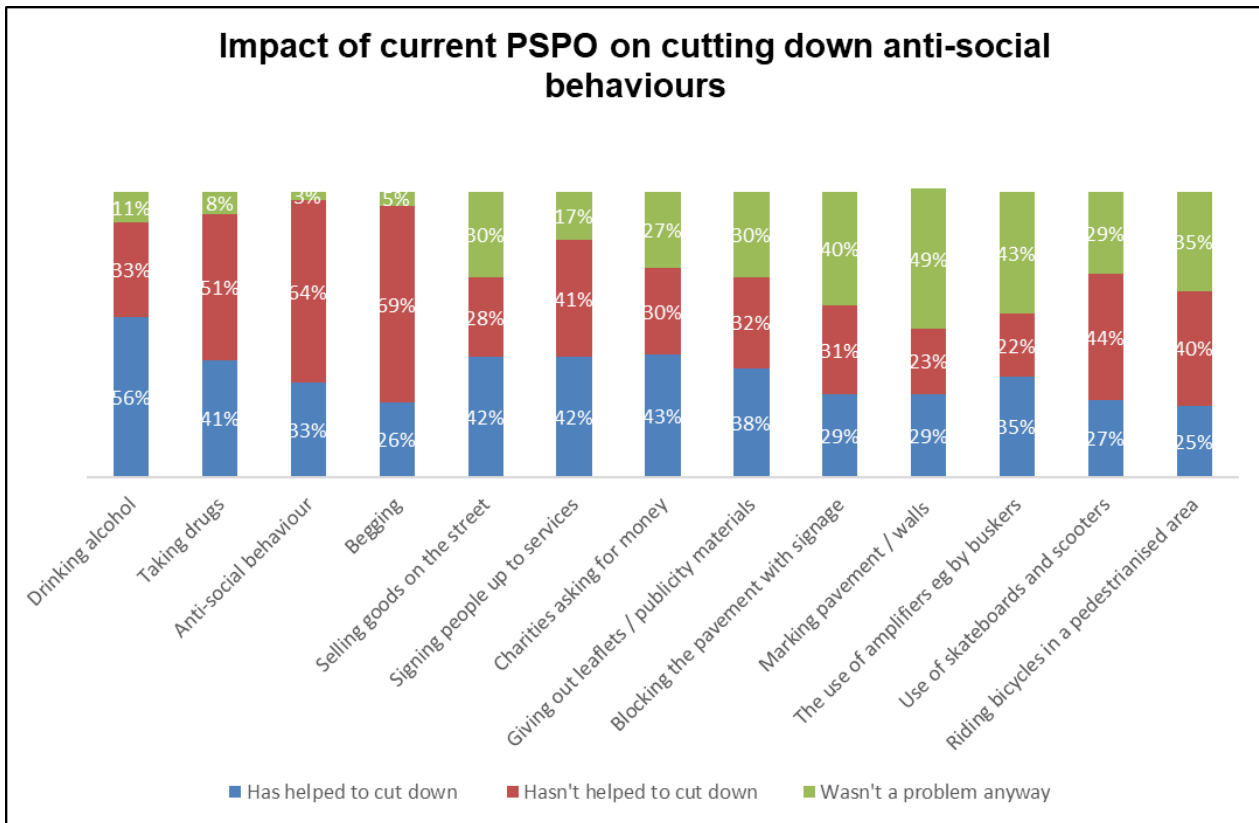
Base: 126

(Dataset does not include the 20 young people who took part in the youth survey.)

#### 4c. Impact of the current Town Centre PSPO

Residents and stakeholders were asked to identify the areas the current Town Centre PSPO has helped to reduce behavioural problems. Of the 13 behaviours outlined, the top three behaviours seeing the greatest reduction in anti-social behaviour are drinking alcohol (56%), charities asking for donations (43%) and both selling goods on the street and signing people up to services (42%).

Residents and stakeholders saw the least reduction in the following behaviours: begging (69%), anti-social behaviour (64%) and drug taking (51%). This shows a direct correlation with the existing problem areas identified.



Base: 108

(Dataset does not include the 20 young people who took part in the youth survey.)

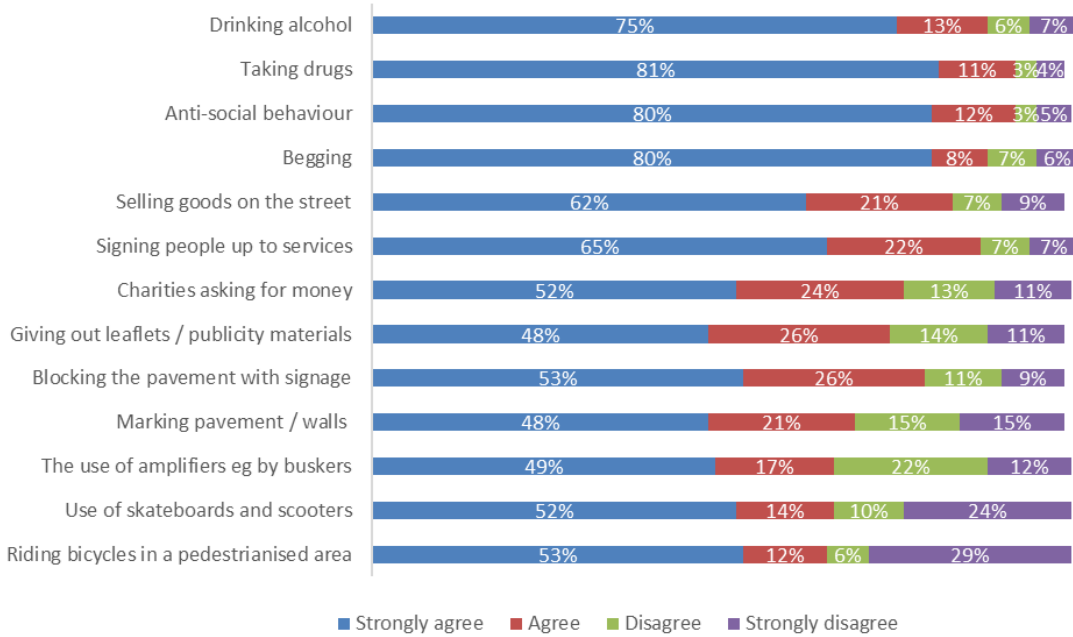
#### 4d. Agreement with proposed PSPO extension on specific behaviours

Residents and stakeholders were asked how strongly they agreed or disagreed, for each of the behaviour areas, that the current PSPO measures should be extended for a further three years. This question was asked to all participants, including the young people completing a shorter survey. Although there was some distinction between the two responding groups, there was an agreement that the PSPO should be extended to reduce drug taking. The two survey results also shared the same response, around the disagreement, that the use of amplifiers and the use of skateboards and scooters should be included in the proposed extension.

The main survey results outlined agreement that the extension should be put in place for the following top four areas: taking drugs (92%), anti-social behaviour (92%) drinking alcohol (88%) and begging (88%).

Young people, aged under 24 years, completing the shorter survey, outlined their top areas for extending the current PSPO as taking drugs, riding bicycles in a pedestrianised area (12 responses each) and charities asking for money and marking pavement / walls (11 responses each).

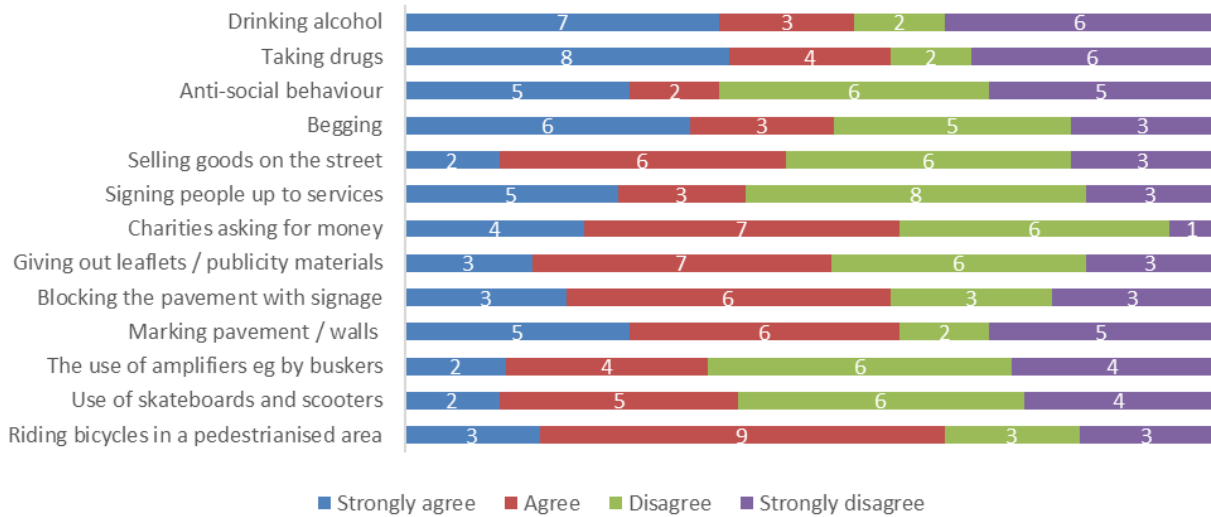
### Agreement with an extension for the PSPO period



Base: 122

(Dataset does not include the 20 young people who took part in the youth survey.)

### Agreement with an extension for the PSPO period - Young People

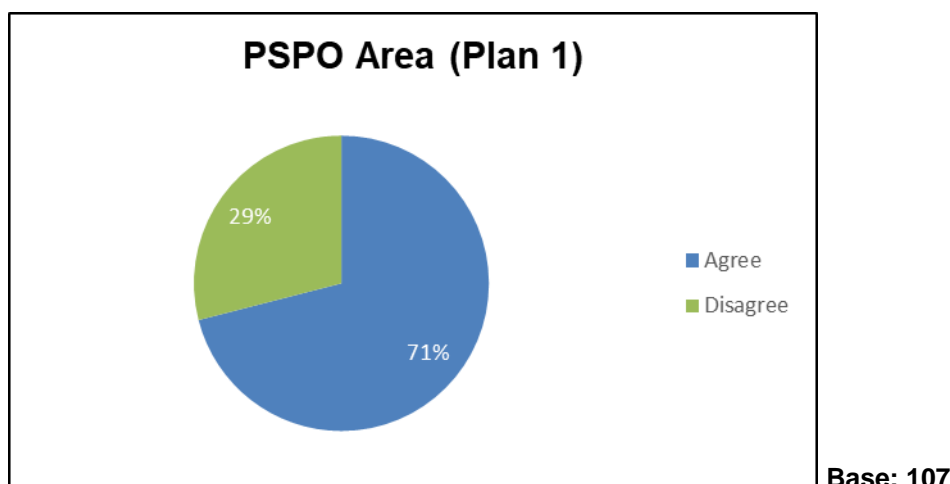


Base: 20

### 5a. Primary PSPO area

Participants in the consultation were provided with a boundary map, highlighting the main prohibition PSPO area. The map illustrated the prohibition area as running from Topp Way, to the north of the Town Centre, between its junction with St Georges Road and A666. It incorporated (approximately) the town centre area which lies between A666 to the east and Mayor Street to the west. The most southerly point of the boundary map falls at Fletcher Street with the junction of Bridgeman Street.

Respondents, from the main survey, were asked to reflect on whether they felt the PSPO covered the right areas of the town centre. 107 responses were collated for this question. Just under three-quarters (71%) agreed that the PSPO area covered the appropriate locations in the town centre.



(Dataset does not include the 20 young people who took part in the youth survey.)

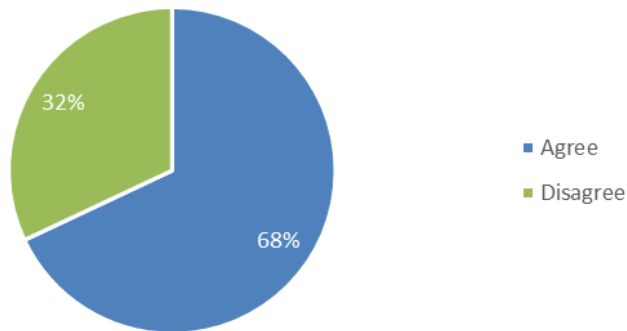
### 5b. Secondary PSPO area

Respondents to both surveys were asked whether the secondary PSPO area, an area of the town which only applies to skateboards, scooters and bicycles, was appropriate. 68% of respondents agreed that the PSPO area, applying to non-motorised vehicles was appropriate. However, just under one-third of respondents disagreed (32%) and was also strongly opposed by Bolton Public Health (refer to Appendix C)

*"We feel the prohibition of the use of skateboards, scooters, and cycles at all times within the specified area is disproportionate as the use of a skateboard, scooter, or cycle is not in and of itself antisocial. Where skateboards, scooters, and cycles are used in a genuinely antisocial way, this can be more appropriately managed under the general antisocial behaviour prohibition, without inconveniencing responsible users".*



## PSPO Area (Plan 2 - Skate Zone)



Base: 121

### 5c. PSPO comments.

Respondents, including young people, were provided the opportunity to explain further which areas should be included or omitted from the proposed PSPO. Comments were themed into three main categories, 'extending the exclusion zones', 'allowing non-motorised vehicles in all areas' (16 comments each) and 'extending the exclusion zone for begging' (14 comments).

### Categorised comments - sample verbatim quotes

#### Extend exclusion zone – general

Respondents felt that the PSPO area should be extended to cover more / all of the borough.

*"The PSPO needs to be extended by another half a mile in all directions"*

*"Trinity Retail Park, Moor Lane and the traffic lights at either end of Topp Way should be included."*

*"Include churchgate, historic area at risk of damage and many alleyways for antisocial behaviours"*

*"The whole of Bolton, not just the town centre."*

*"Extended to cover the new bus station right down to the train station."*

*"Everywhere frequented by pedestrians. Astley Bridge has severe problems with people cycling and using powered scooters (illegal anyway) on the pavements and nobody does anything."*

## Allow cycling / skateboarding / scooter use in all areas

Respondents felt that the current prohibitions on cycling, skateboarding and scooter use should be lifted, with some feeling that only irresponsible behaviour should be prohibited.

*"A criteria of what is acceptable or what is deemed to be anti-social should be established that can enforce anti-social cycling rather than all cycling."*

*"Let people cycle and skateboard responsibly. We need to encourage active travel, not ban it."*

*"Bicycling and scooting should not be included full stop: you should be encouraging green forms of transport, not demonising them based on some 1960s attitude that walking and driving are the only ways to get .."*

*"There shouldn't be a prohibition on cycling in this area at all."*

*"The areas covered are all wide enough for skateboards, scooters and bicycles to exist alongside pedestrians without conflict, so I can see no reason to ban any of these activities in pedestrian spaces provided they're done at a safe speed."*

*"I don't believe skateboards, scooters and bicycles should be prohibited in the town centre. It's often safer than riding on the busy roads around the town centre."*

## Extend exclusion zone – begging

Begging was seen as a particular problem. The current exclusion zone had effectively pushed some begging to other areas of the borough, and this could be tackled by extending the PSPO boundary.

*"All of the main arterial routes, including main junctions into the town, especially the beggars, who also constitute a road hazard when constantly stood in the road."*

*"All the way across Bolton, on every main road in and out of the town centre, beggars are standing collecting money at traffic lights. Makes Bolton look like the ends of the earth."*

*"Every junction leading in and out of the town centre where beggars congregate at traffic lights."*

*"Needs to target beggars on roads where this has forced them."*

*"Traffic lights on the main junctions where the prohibition area ends have become home to beggars, risking their own and others lives, particularly at either end of Topp Way."*

*"You can spend millions upgrading the town centre but if you don't stop beggars at traffic lights around St Peters way you will never get the town on the Map. It is not good being stared at as a woman on your own and I feel threatened. I drive all over the NW and NE as far up as Newcastle and have only seen this once anywhere else with a drunk in Leeds. Please get these people included and move them on. It is a disgrace!"*

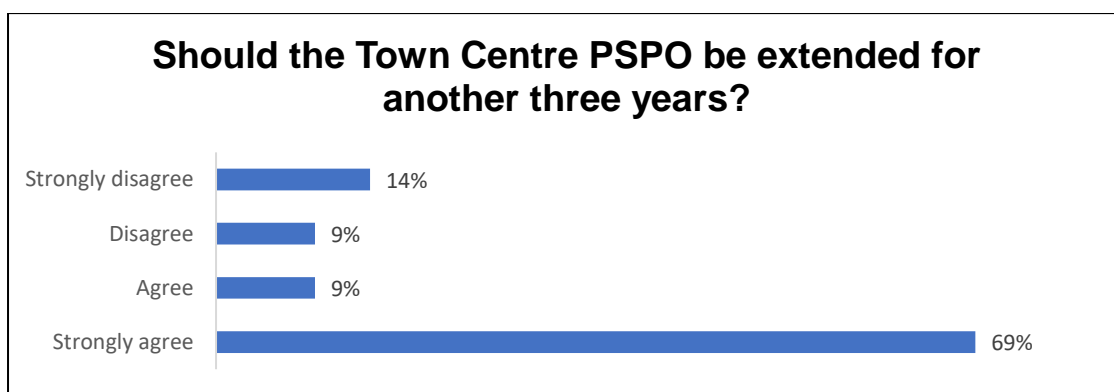
Other suggestions included extending the exclusion zone for cycling, skateboarding and scooter use, extending the exclusion zone for drugs and not having a PSPO at all.

**Official responses** [included in above coding]:

*"I don't think scooters, skateboards and bikes should be prohibited."* – local business

**5d. Overall agreement to extend the current proposal**

Respondents to the survey were asked to reflect upon whether or not they agreed that an extension to the current Town Centre PSPO should be granted for a further three years. Of the 124 responses received, 78% of residents and stakeholders strongly agreed/agreed with the proposed extension.



Base: 124

(Dataset does not include the 20 young people who took part in the youth survey.)

**5e. PSPO resident and stakeholder comments**

Residents were provided the opportunity to further comment on the effectiveness of the current PSPO, the proposal to extend it for another three years and any alternatives that should be considered. Responses were themed into the following five categories.

Rank	Category	Number of respondents
1	Begging still an issue	40
2	Need effective enforcement	39
3	Town centre still feels unsafe / unpleasant	32
4	Allow cycling / skateboarding / scooters	19
5	Helps improve town centre	16

### Categorised comments - sample verbatim quotes

**Begging still an issue:** Begging was seen as an on-going problem, which would escalate even further if the PSPO was not extended.

*See no difference the PSPO has made to begging. Seems to have got worse.*

*"Begging the biggest problem and agreeing whatever can be done because it is intimidating for older people."*

*"Never known a town to so bad for begging."*

*"Real begging problem outside Morrisons with one man in particular who pretends to be from the armed forces."*

*"Begging is the worst issue currently, beggars are stopping you and asking for money, some even follow".*

**Need effective enforcement:** There was concern that the existing powers were not being enforced, partially due to a lack of enforcement officers, but also a lack of will. Respondents had reported incidents to officers on the ground who seemed to take no action.

*"What would be useful is that if additional funding could be provided to police the issues."*

*"There needs to be more PSPO officers on duty and they need to cover seven days a week."*

*"More foot patrols are needed as well as CCTV and more signs."*

*"Reported an aggressive beggar to some officers on patrol and they just said "oh he's a regular" I asked what were they going to do about it, they just shrugged, walked away and started joking with another beggar."*

*"I don't feel that the order isn't being enforced enough."*

*"Enforcement is very weak and appears at times to be non-existent. The same attention and vigour that is evident regarding issuing of car parking fines etc should be applied equally vigorously to antisocial behaviour etc which at present is certainly not the case."*

*"You need to get a real grip on the problem, not just play at it. It's pretty obvious that the current PSPO has no real power and no actual support from the Council - just another PR exercise."*

**Town centre still feels unsafe / unpleasant:** Despite the PSPO, visiting the town centre was seen as an unpleasant experience, with some respondents feeling unsafe, especially if alone or in the evening. This could be from various anti-social behaviours, including intimidation by beggars and concerns about people cycling / skateboarding in pedestrianised areas.

*“Work in the town centre and feel totally unsafe when leaving work at 6pm.”*

*“If people don't feel safe being in town then businesses won't survive.”*

*“I still do not feel safe to go into these areas alone.”*

*“Drug users and alcoholics are now back sitting around the town centre on sleeping bags and socialising again every day in all weathers, it gives a bad impression of Bolton.”*

*“No alternative, bad enough as it is”.*

*“I was asked by a lady for money last week and felt intimidated. I was scared of being mugged. They target older people and now I do avoid Bolton because of this and go to Bury.”*

**Allow cycling / skateboarding / scooters:** Comments in this category were from respondents who felt that cycling, skateboarding and scooter use should be allowed in pedestrianised areas, as this was safer for them than using roads. Pedestrians should expect to share public space. However, segregated lanes were also suggested, as was targeting irresponsible use rather than a blanket ban.

*“Can I ride my bike in town without dying please?...Are you suggesting that shooting up heroine in the middle of the street and riding a bike are the same thing?!”*

*“The prohibition on cycling is ill-thought out and contrary to a range of current government policies which focus around enabling active travel rather than restricting it.”*

*“It restricts the safe use of cycles and scooters while being totally ignored by those who cycle or scoot dangerously.”*

*“Scooters, skateboards and bikes should be catered for within these zones too by providing a specific lane, area or route for them to use through the town centre.”*

**Helps improve town centre:** Respondents felt that the PSPO helped to make the town centre nicer and a safer place to visit, as it had helped to tackle anti-social behaviours.

*"Bolton has felt a much safer place since drinking has been stopped."*

*"Used to be an awful place to attempt to walk through, and work, before this order was put in place".*

*"Really noticed less groups hanging about nr the benches on bikes and skateboards. hadnt realised it was down to the order but must be. Definitely less people mithering trying to sell you stuff which can get really annoying so that is good."*

Other comments included respondents who suggested that the PSPO should be extended to cover more / all of the borough, *"At least when people were begging in the town centre it was a well populated area, I feel much more unsafe where this happens when there are few others about"*.

Respondents also felt that other behaviours that the PSPO was designed to tackle were still an issue, namely cycling, skateboarding and scooter use, anti-social behaviour, drug use, alcohol misuse, selling and busking. *"My grandson 5 year old Narrowly avoided injury...from a cycle being ridden on the pavement at speed"*.

Others felt that the PSPO had helped to tackle key issues, *"I regularly visit the town centre and there's a noticeable difference in the number of people trying to sell you stuff or get you to sign up to different things."* In addition, some respondents felt that busking should be allowed

Alternative suggestions included tackling the root cause of behaviours, rather than banning them or punishing people; *"would welcome a much more person-centred, Bolton Vision 2030 inspired approach to this. I think the council could invest in people and communities in a much better way"*, and directing the public to other ways of helping *"more needs to be done to educate the public not to give money to these people but to donate to Urban Outreach"*

#### **Official responses** [included in above coding]:

*"Town needs more enforcement officers visible to make shoppers & retailers feel more safe & have someone to contact & inform of problems"*  
- local business

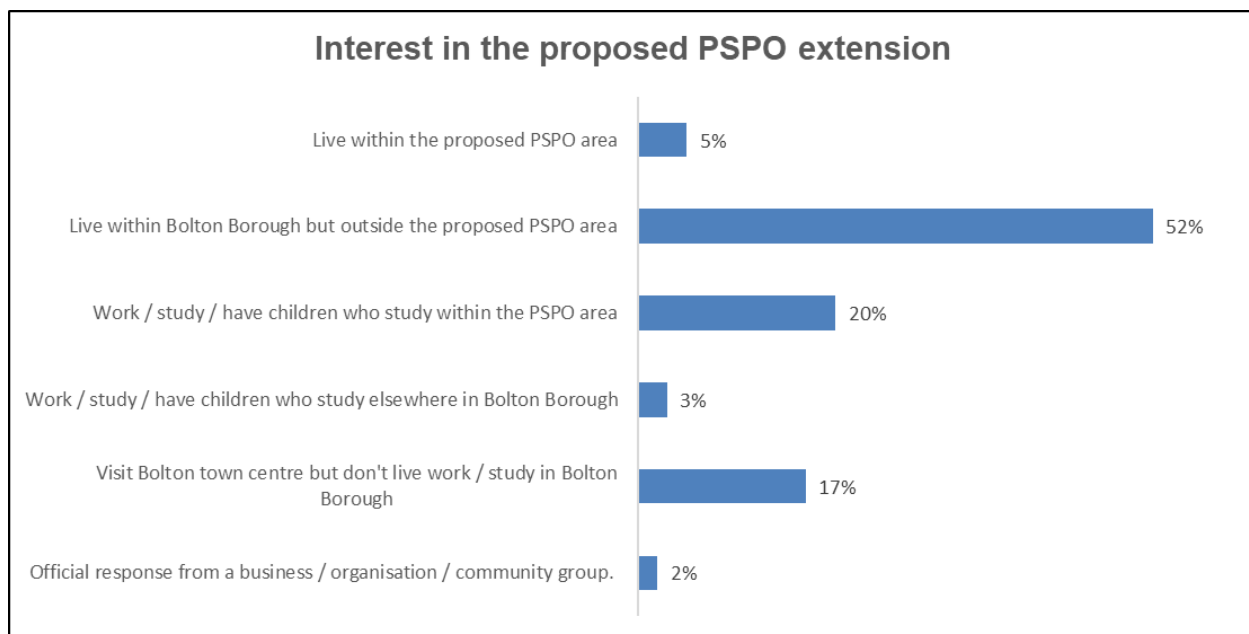
*"Not entirely sure of the effect of the PSPO over the last three years. Safety seems to have decreased further, not improved"* - Bolton Octagon

**Youth survey response:** Only one comment was received.

*“Skatepark needs to become more friendly- have a graffiti wall”*

### 6a. Respondent’s interest in the extension proposal

Those taking part in the consultation were asked what their interest in the proposed extension is. Over half (52%) of respondents stated that they live within the borough of Bolton, but outside of the proposed PSPO area; 5% reside in the town centre PSPO area. One-fifth (20%) of respondents’ work, study or have children that study in the proposed extension area.

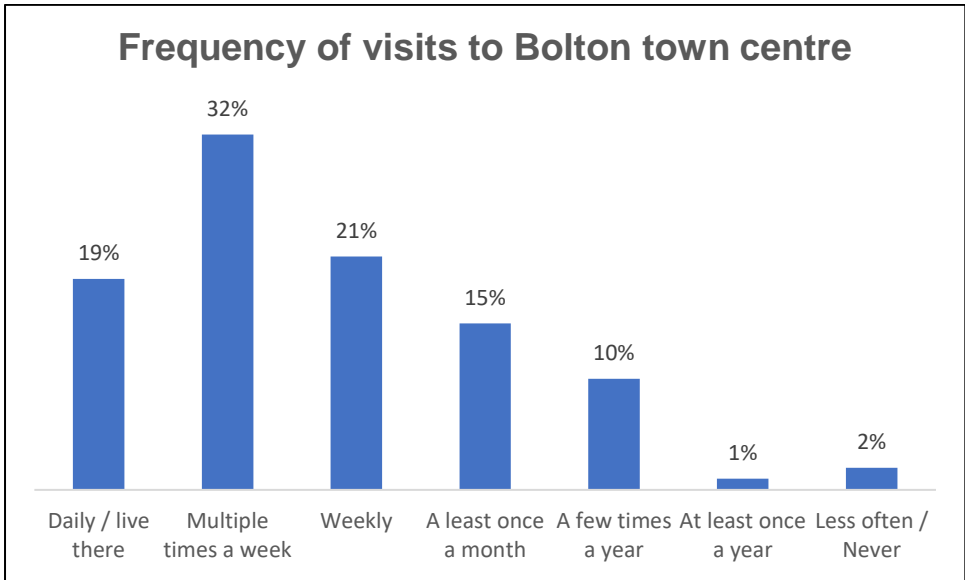


Base: 128

(Dataset does not include the 20 young people who took part in the youth survey.)

### 6b. Frequency of visits to Bolton town centre

Residents and stakeholders taking part in the consultation were asked to reflect upon how frequently they visit the town centre. Just under one-third (32%) of respondents are regular visitors to the town centre, accessing the site several times per week, with a further one-fifth (21%) accessing the town centre weekly. Just under one-fifth (19%) live in the town centre.

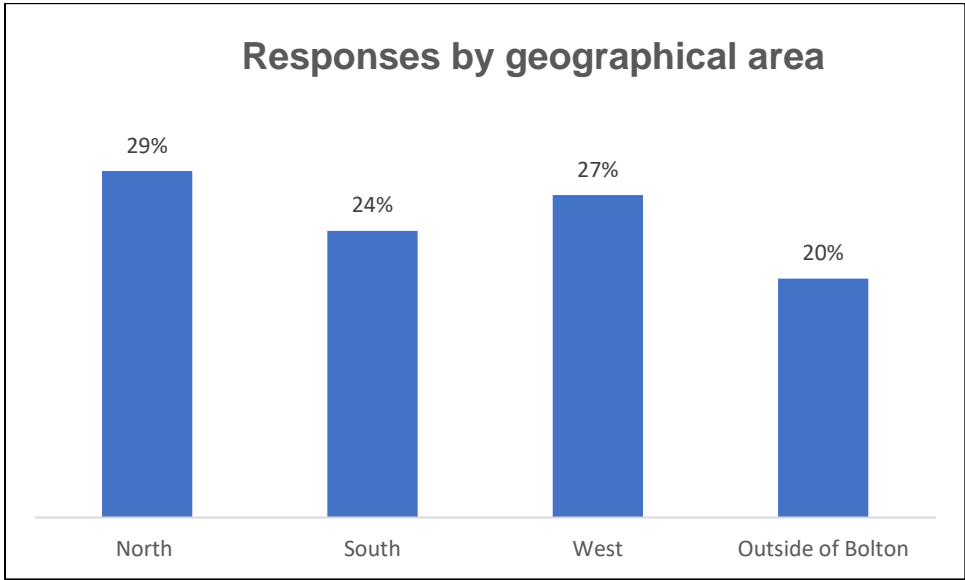


**Base: 125**

**(Dataset does not include the 20 young people who took part in the youth survey.)**

**7a. Demographics: Geographical location**

The table below outlines the demographics of respondents by geographical district. A total of 119 respondents provided their full postcode. Responses were equally received by residents and stakeholders across the borough. One-fifth of responses were also provided by visitors from outside the borough, predominantly from other districts within Greater Manchester.



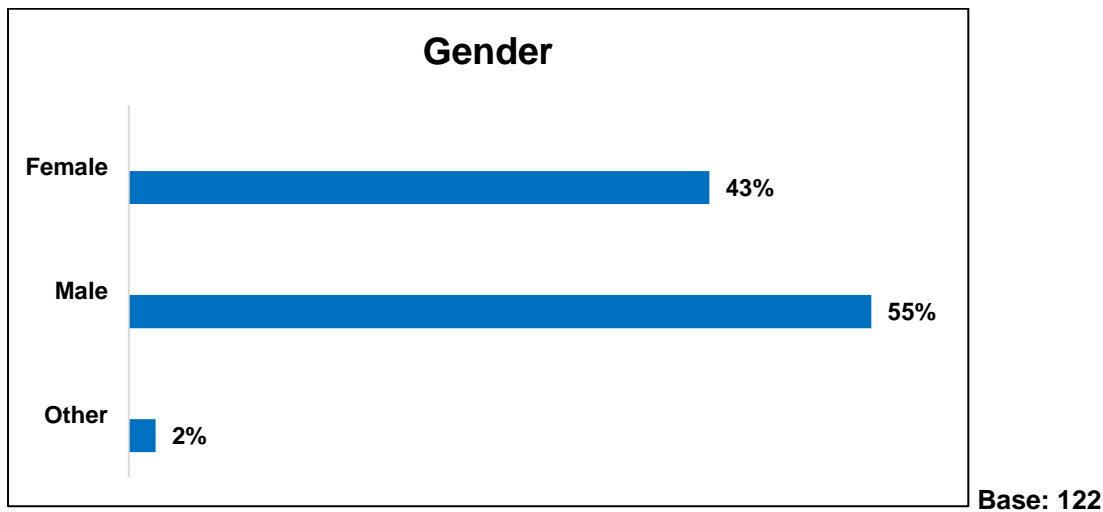
**Base: 119**

**(Dataset does not include the 20 young people who took part in the youth survey.)**



### 7b. Gender

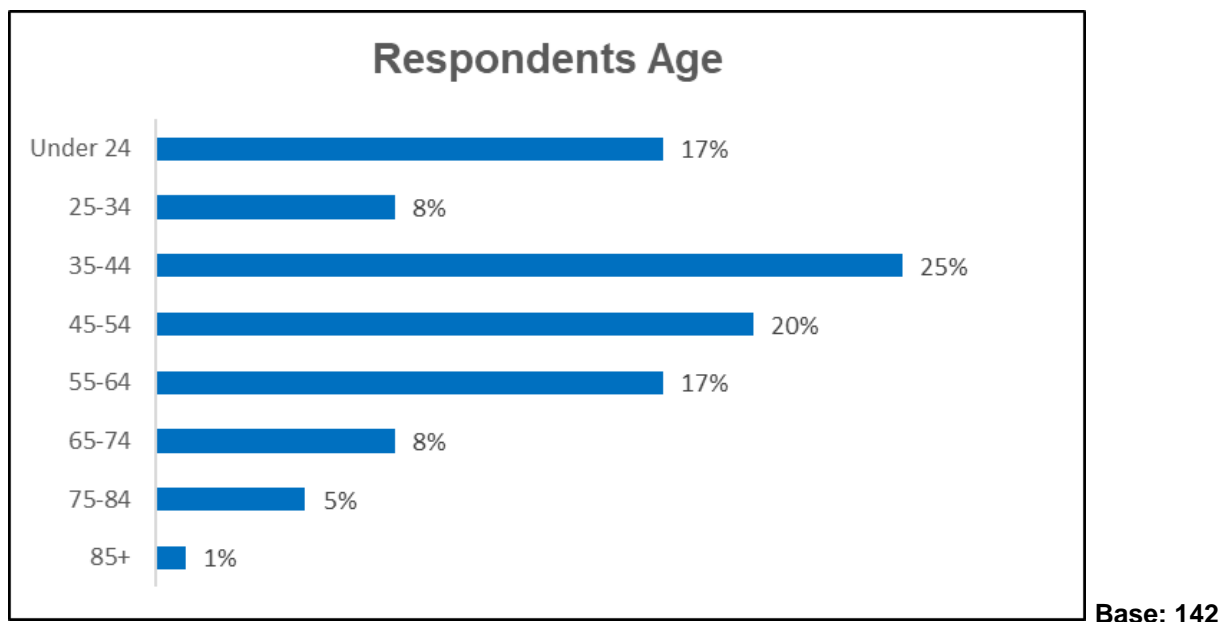
122 responses were received providing the respondent's gender. 53 respondents' identity as being female, 67 as male and 2 respondents identified as 'other'.



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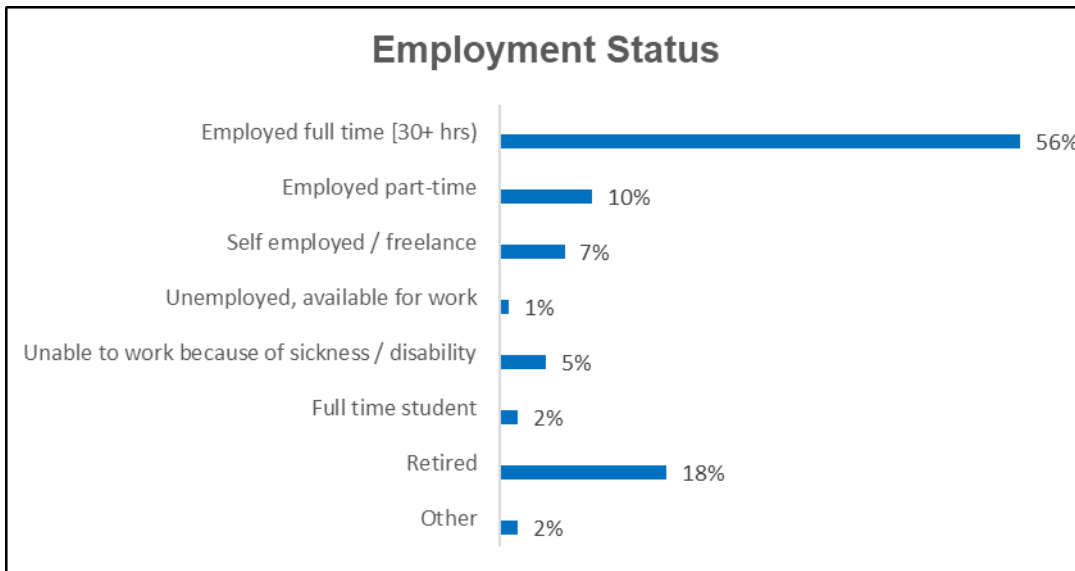
### 7c Age

Responses were received from individuals in all age categories, including 20 young people, under the age of 24 who took part in an additional survey. 17% of respondents were under the age of 24 years. 70% of respondents were aged between 35 – 64 years. 13% of responses were received from individuals above the age of 65 years.



### 7d. Employment Status

119 responses were from individuals in some form of employment. 87 (73%) of those responses were received from individuals in some form of employment. 21 (18%) respondents were retirees. Those who stated 'other', (2%), were employed.

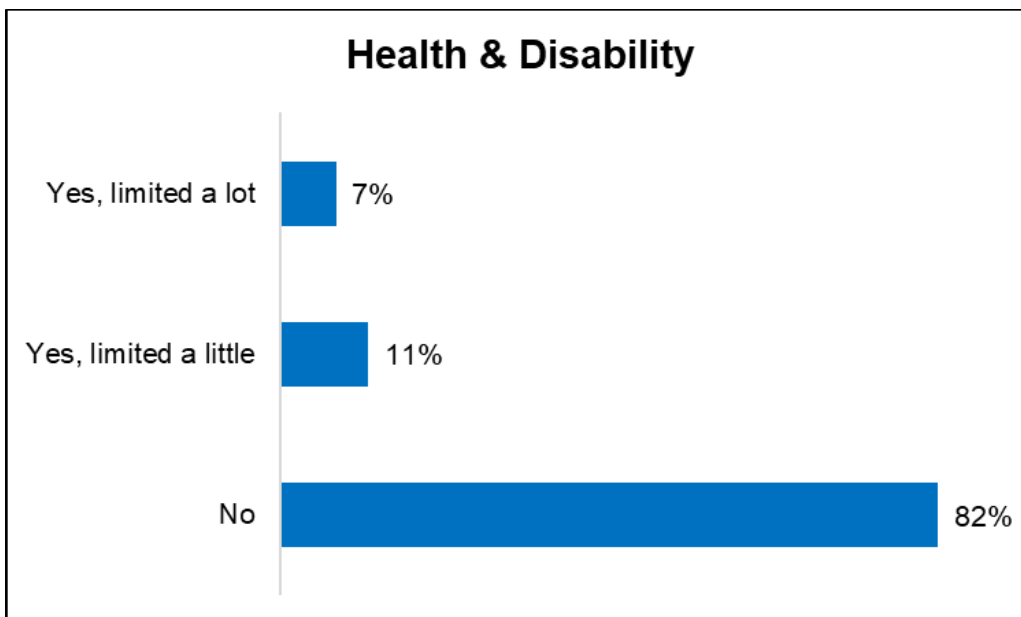


Base: 119

(Dataset does not include the 20 young people who took part in the youth survey.)

### 7e. Disability status

Just under one-fifth of respondents, who took part in the Town Centre PSPO consultation, have their day-to-day activities impacted due to a long-term physical or mental health condition or illness.

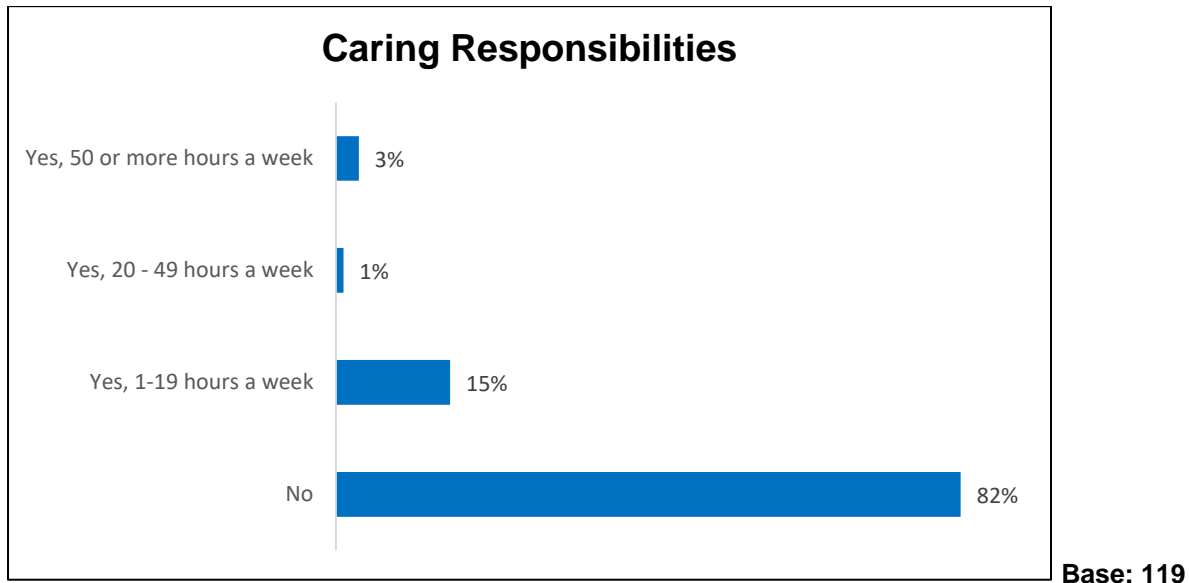


Base: 114

(Dataset does not include the 20 young people who took part in the youth survey.)

## 7f. Caring status

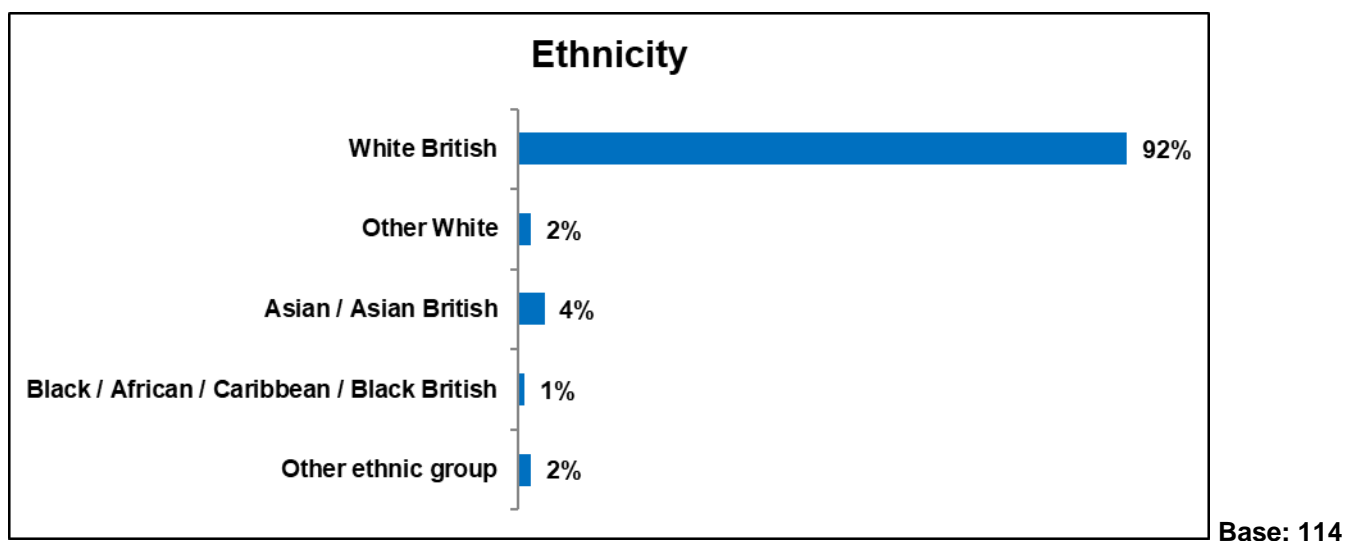
Just under one-fifth of respondents provide some form of caring responsibility to family members, friends, neighbours or others who need help because they have a long-term physical or mental ill-health / disability, or have problems relating to old age.



(Dataset does not include the 20 young people who took part in the youth survey.)

## 7g. Ethnicity

The majority of respondents, 105 (92%) taking part in the consultation identified as being as 'white British'. 9 (9%) of respondents identified as being from other ethnic communities.



(Dataset does not include the 20 young people who took part in the youth survey.)

# Appendix A – Town Centre PSPO Consultation Leaflet

## Proposed Public Spaces Protection Order 2021 (PSPO)

We are reviewing the Bolton Town Centre PSPO and are seeking feedback on extending the duration of the current PSPO.

Share your views at [www.bolton.gov.uk/consultations](http://www.bolton.gov.uk/consultations) by 12noon Monday 13th December 2021.

**Public Spaces Protection Orders (PSPOs) are intended to deal with nuisance or problems in an area that have a detrimental effect on the local community and residents quality of life.**



The PSPO aims to impose restrictions to reduce anti-social / undesirable behaviour in Bolton town centre, making it a more attractive place to live, visit, work, study or do business in.

If someone breaches a PSPO, they can receive the following penalties:

- A £100 fine on the spot, a Fixed Penalty Notice
- A fine of up to £1,000 if the charge goes to court.

We are looking to extend the duration of the PSPO for a further 3 years. The current orders can be viewed online at [bit.ly/3HhSFG0](http://bit.ly/3HhSFG0)

The following activities are prohibited at all times:

- Consumption of alcohol on street
- Ingesting, inhaling, injecting, smoking or otherwise using intoxicating substances
- Anti-social behaviour
- Begging on the street
- Peddling / street trading
- Soliciting for money in the street (charity and commercial)
- Distribution of publicity materials
- Obstructing the highway
- Marking of surfaces such as walls or pavements
- Use of amplifiers/loudspeakers
- Use of bicycles, skateboards and scooter within a specified part of the Prohibition Area

**Bolton Town Centre PSPO map**



**Blue Line:** Boundary for all prohibited activities except bicycles, skateboards and scooters.

**Red Line:** Boundary for all prohibited activities including bicycles, skateboards and scooters.



## **Bolton town centre Public Spaces Protection Order [PSPO] Three year review**

Please complete this questionnaire online if possible, by searching for 'bit.ly/3kloALG' or [www.bolton.gov.uk/directory/13/consultations/category/195](http://www.bolton.gov.uk/directory/13/consultations/category/195)  
If you can't view the supporting documents online please ring 01204 334875.

The current PSPO for Bolton town centre is due to expire in February 2022.  
We propose to extend the PSPO for another three years [the maximum allowed by law], keeping all the current restrictions in place.

Public Space Protection Orders are intended to deal with a particular nuisance by imposing restrictions on certain antisocial behaviours. The PSPO is designed to make sure that people can use and enjoy public spaces in Bolton town centre without worrying about anti-social behaviour.

This public consultation forms part of a review we are undertaking of the PSPO to ensure the prohibitions within the order remain proportionate and effective. Consultation responses will be used alongside other information to help the council decide whether to extend the PSPO or not.

Please read the supporting documents for full details of the proposed PSPO before giving your views on the proposed extension.  
They can be found online at: [www.bolton.gov.uk/directory/13/consultations/category/195](http://www.bolton.gov.uk/directory/13/consultations/category/195)

### **Your responses - keeping your data safe**

If you're responding as an individual you won't be identified in any report; your responses will be anonymised and grouped together with those from other people. All questions are optional, so please feel free to skip any that you prefer not to answer.  
Reports may be made public. If you are responding in an official capacity your response may be published, but no personal details will be made public.

Any personal data you provide will be held securely, in line with our retention schedule and privacy policy, which can be found online: [www.bolton.gov.uk/data-protection-freedom-information/privacy-notices](http://www.bolton.gov.uk/data-protection-freedom-information/privacy-notices)

We use professional software called Snap Surveys to collect and process your data. As data processor, Snap Surveys Ltd. follow the UK General Data Protection Regulation [GDPR]. You can view their privacy policy online: [www.snapsurveys.com/survey-software/privacy-policy-uk/](http://www.snapsurveys.com/survey-software/privacy-policy-uk/)

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Public Space Protection Orders are intended to deal with a particular nuisance by imposing restrictions on certain antisocial behaviours. The PSPO is designed to make sure that people can use and enjoy public spaces in Bolton town centre without worrying about anti-social behaviour.

This public consultation forms part of a review we are undertaking of the PSPO to ensure the prohibitions within the order remain proportionate and effective. Consultation responses will be used alongside other information to help the council decide whether to extend the PSPO or not.

Please read the supporting documents for full details of the proposed PSPO before giving your views on the proposed extension.  
They can be found online at: [www.bolton.gov.uk/directory/13/consultations/category/195](http://www.bolton.gov.uk/directory/13/consultations/category/195)

### **Your responses - keeping your data safe**

If you're responding as an individual you won't be identified in any report; your responses will be anonymised and grouped together with those from other people. All questions are optional, so please feel free to skip any that you prefer not to answer.  
Reports may be made public. If you are responding in an official capacity your response may be published, but no personal details will be made public.

Any personal data you provide will be held securely, in line with our retention schedule and privacy policy, which can be found online: [www.bolton.gov.uk/data-protection-freedom-information/privacy-notices](http://www.bolton.gov.uk/data-protection-freedom-information/privacy-notices)

We use professional software called Snap Surveys to collect and process your data. As data processor, Snap Surveys Ltd. follow the UK General Data Protection Regulation [GDPR]. You can view their privacy policy online: [www.snapsurveys.com/survey-software/privacy-policy-uk/](http://www.snapsurveys.com/survey-software/privacy-policy-uk/)

## Behaviours

The current PSPO aims to stop anti-social behaviour from all public areas within the boundary shown on the maps. There are exemptions, for example skateboarding is allowed within the skate park and drinking alcohol is allowed within licensed premises such as pubs.

Please see the supporting documents for full details of the kinds of behaviour that are currently restricted, exemptions and maps of the area involved.

[www.bolton.gov.uk/directory/13/consultations/category/195](http://www.bolton.gov.uk/directory/13/consultations/category/195)

We would always offer help to help those who are genuinely homeless or in need of support.

### Q1 Which, if any, of these behaviours are currently a problem in the prohibited area of Bolton town centre?

The prohibited areas are shown on the maps. The behaviours listed are a summary of those included in the current PSPO

- |  |  |
|--|--|
| <input type="checkbox"/> Drinking alcohol on the street  | <input type="checkbox"/> Giving out leaflets / publicity materials                 |
| <input type="checkbox"/> Taking drugs on the street  | <input type="checkbox"/> Blocking the pavement with advertising boards / signs etc |
| <input type="checkbox"/> Anti-social behaviour   | <input type="checkbox"/> Marking pavement / walls with chalk, paint etc            |
| <input type="checkbox"/> Begging   | <input type="checkbox"/> The use of amplifiers eg by buskers                       |
| <input type="checkbox"/> Selling goods on the street   | <input type="checkbox"/> Use of skateboards and scooters                           |
| <input type="checkbox"/> Stopping people to get them to sign up to energy / broadband / tv etc | <input type="checkbox"/> Riding bicycles in a pedestrianised area                  |
| <input type="checkbox"/> Charities asking for money - cash, Direct Debit etc                   | <input type="checkbox"/> None of these are a problem                               |

### Q2 Based on the amount of anti-social behaviour you're aware of in Bolton town centre, has the PSPO helped to cut down the following? Please select one response for each behaviour

The behaviours listed are a summary of those included in the current PSPO.

	Has helped to cut down	Hasn't helped to cut down	Wasn't a problem anyway	No opinion
Drinking alcohol on the street	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Taking drugs on the street	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Anti-social behaviour	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Begging	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Selling goods on the street	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Stopping people to get them to sign up to energy / broadband / tv etc	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Charities asking for money - cash, Direct Debit etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Giving out leaflets / publicity materials	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Blocking the pavement with advertising boards / signs etc	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Marking pavement / walls with chalk, paint etc	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The use of amplifiers eg by buskers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Use of skateboards and scooters	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Riding bicycles in a pedestrianised area	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Q3 How strongly do you agree / disagree that the current PSPO should be extended for another three years to continue to tackle the following behaviours?** Please select one response for each behaviour

The behaviours listed are a summary of those included in the current PSPO.

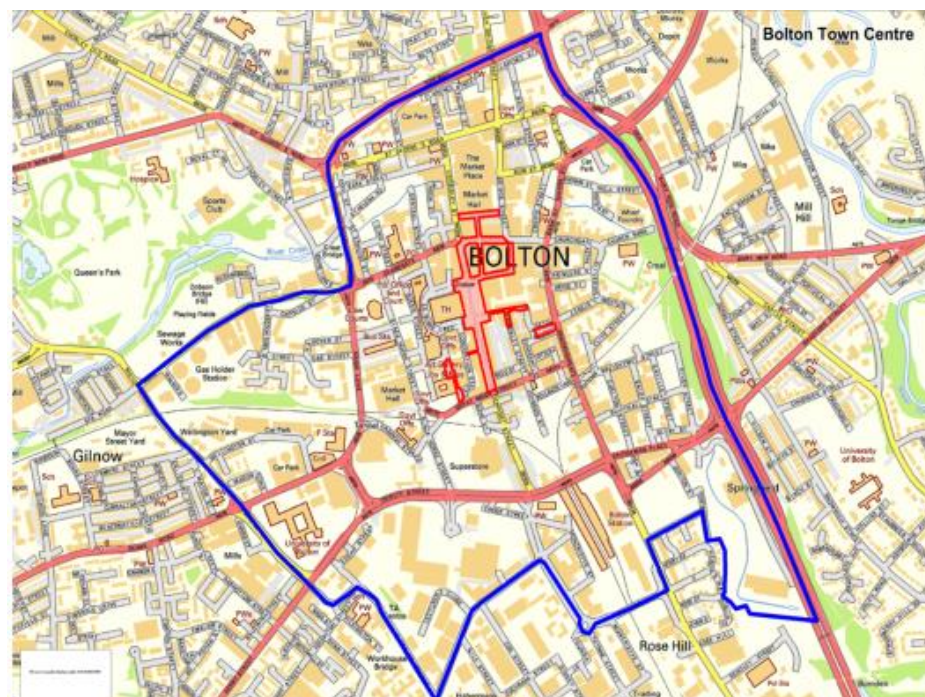
	Strongly agree	Agree	Disagree	Strongly disagree	No opinion
Drinking alcohol on the street	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Taking drugs on the street	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Anti-social behaviour	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Begging	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Selling goods on the street	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Stopping people to get them to sign up to energy / broadband / tv etc	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Charities asking for money - cash, Direct Debit etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Giving out leaflets / publicity materials	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Blocking the pavement with advertising boards / signs etc	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Marking pavement / walls with chalk, paint etc	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The use of amplifiers eg by buskers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Use of skateboards and scooters	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Riding bicycles in a pedestrianised area	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



## PSPO area

Larger maps are included in the supporting documents: [www.bolton.gov.uk/directory/13/consultations/category/195](http://www.bolton.gov.uk/directory/13/consultations/category/195)

**Plan 1** highlights the boundary [shown in blue] of the main prohibition area. This area runs from Topp Way to the north of the Town Centre between its junction with St Georges Road and A666. It incorporates [approximately] the town centre area which lies between A666 to the east and Mayor Street to the west. The most southerly point of the boundary falls at Fletcher Street with the junction of Bridgeman Street.



**Q4 Does the main PSPO [Plan 1] cover the right areas of the town centre?**

- Yes
  No
  No opinion

**Plan 2** highlights the secondary Prohibition Area edged in red, which only applies to skateboards, scooters and bicycles.

This incorporates [approximately]: Corporation Street to the North of the prohibition area, Market Street, Deansgate - the area between its junction with Bridge Street and Knowsley Street, Oxford Street, Hotel Street, Mealhouse Lane, Victoria Square, Newport Street, Exchange Street, Nelson Square, Howell Croft South.



**Q5 Does the secondary PSPO [plan 2] cover the right areas of the town centre?**

This is where the use of skateboards, scooters and bicycles are prohibited

- Yes
  No
  No opinion

**Q6 If you have answered 'no' to Q4 or Q5:**

Please explain which areas should be included in or left out of the PSPO

## Overall

**Q7** How strongly do you agree / disagree that the current PSPO should be extended for another three years?

- Strongly agree
  Agree
  Disagree
  Strongly disagree
  No opinion

**Q8** Please use this space for any comments about effectiveness of the current PSPO, the proposal to extend it for another three years and any alternatives that we should consider

## Your interest

**Q9** Which of the following best describes your interest in this matter?

- Live within the proposed PSPO area - please go to Q10  
 Live within Bolton Borough but outside the proposed PSPO area - please go to Q10  
 Work / study / have children who study within the PSPO area - please go to Q10  
 Work / study / have children who study elsewhere in Bolton Borough - please go to Q10  
 Visit Bolton town centre but don't live work / study in Bolton Borough - please go to Q10  
 Official response from Parish / Bolton borough Councillor / Elected Member - please go to Q9b  
 Official response from a business / organisation / community group. You must have their permission to submit an official response on their behalf - please go to Q9b  
 None of the above - please go to Q9a

**Q9a** Please say what your interest is, then go to Q10

**Q9b** Please say which ward, business, organisation or community group you represent

**Q9c** Please say in what official capacity you are responding - then go to the end of the questionnaire

**Q10 How often do you visit Bolton town centre?**

Please include all visits, whether for work, shopping, leisure, study etc

- Daily / live there
- Multiple times a week
- Weekly
- A least once a month
- A few times a year
- At least once a year
- Less often / Never

**About you**

Your answers in this section help us to make sure that we are getting views from different types of people.

They will not be used to contact you.

**Q11 Please give your full postcode****Q12 Are you ...?**

- Female
- Male
- Other

**Q13 Which most closely describes you?**

- Employed full time [30 hours or more a week]
- Employed part-time [up to 30 hours a week]
- Self employed / freelance
- Unemployed, available for work
- Unable to work because of sickness / disability
- Full time student
- At home, looking after family
- Retired
- Other - please go to Q13a

**Q13a** If 'other' please explain

**Q14 Which age group are you in?**

- Under 18
- 18 - 24
- 25 - 34
- 35 - 44
- 45 - 54
- 55 - 64
- 65 - 74
- 75 - 84
- 85 or over

**Q15 Do you look after, or give any help or support to family members, friends, neighbours or others who need help because they have a long-term physical or mental ill-health / disability, or have problems relating to old age?**

Please don't count anything you do as part of your paid employment.

- No  Yes, 20 - 49 hours a week  
 Yes, 1-19 hours a week  Yes, 50 or more hours a week

**Q16 What is your ethnic group?**

- White British  Asian or Asian British  
 White other  Black, Black British, Caribbean or African  
 Mixed or Multiple ethnic group  Other ethnic group

**Q17 Are your day to day activities limited because of a long-term physical or mental health conditions or illness?**

Long-term means something that has lasted or is expected to last 12 months or more.

- Yes, limited a lot  Yes, limited a little  No

**Thanks for your views. Please post your completed questionnaire to:  
FREEPOST RTTT-YTEL-YSXS, Consultation & Research Team, 2nd Floor, Town  
Hall, Victoria Square, Bolton, BL1 1RU**

## **Bolton town centre Public Spaces Protection Order [PSPO] Three year review Youth survey**

The current PSPO for Bolton town centre is due to expire in February 2022. We propose to extend the PSPO for another three years [the maximum allowed by law], keeping all the current restrictions in place.

Public Space Protection Orders are intended to deal with a particular nuisance by imposing restrictions on certain antisocial behaviours. The PSPO is designed to make sure that people can use and enjoy public spaces in Bolton town centre without worrying about anti-social behaviour.

This public consultation forms part of a review we are undertaking of the PSPO to ensure the prohibitions within the order remain proportionate and effective. Consultation responses will be used alongside other information to help the council decide whether to extend the PSPO or not.

For full details of the proposed extension, please see [www.bolton.gov.uk/directory/13/consultations/category/195](http://www.bolton.gov.uk/directory/13/consultations/category/195).

### **Your responses - keeping your data safe**

You won't be identified in any report, your response is anonymous and will be grouped together with those from other people. Reports may be made public. All questions are optional, so please feel free to skip any that you prefer not to answer.

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[www.bolton.gov.uk/data-protection-freedom-information/privacy-notice](http://www.bolton.gov.uk/data-protection-freedom-information/privacy-notice)

We use professional software called Snap Surveys to collect and process your data. As data processor, Snap Surveys Ltd. follow the UK General Data Protection Regulation [GDPR]. You can view their privacy policy here: [www.snapsurveys.com/survey-software/privacy-policy-uk/](http://www.snapsurveys.com/survey-software/privacy-policy-uk/)

## Behaviours

The current PSPO aims to stop anti-social behaviour from all public areas within the boundary shown on the maps.

There are exemptions, for example skateboarding is allowed within the skate park and drinking alcohol is allowed within licensed premises such as pubs.

Please see the supporting documents for full details of the kinds of behaviour that are currently restricted, exemptions and maps of the area involved. [www.bolton.gov.uk/directory/13/consultations/category/195](http://www.bolton.gov.uk/directory/13/consultations/category/195)

We would always offer help to help those who are genuinely homeless or in need of support.

**Q1 How strongly do you agree / disagree that the current PSPO should be extended for another three years to continue to tackle the following behaviours?** Please select one response for each behaviour

The behaviours listed are a summary of those included in the current PSPO.

	Strongly agree	Agree	Disagree	Strongly disagree	No opinion
Drinking alcohol on the street	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Taking drugs on the street	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Anti-social behaviour	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Begging	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Selling goods on the street	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Stopping people to get them to sign up to energy / broadband / tv etc	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Charities asking for money - cash, Direct Debit etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Giving out leaflets / publicity materials	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Blocking the pavement with advertising boards / signs etc	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Marking pavement / walls with chalk, paint etc	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The use of amplifiers eg by buskers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Use of skateboards and scooters	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Riding bicycles in a pedestrianised area	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



## PSPO area

Larger maps are included in the supporting documents [www.bolton.gov.uk/directory/13/consultations/category/195](http://www.bolton.gov.uk/directory/13/consultations/category/195)

**Plan 2** highlights the secondary Prohibition Area edged in red, which only applies to skateboards, scooters and bicycles.

This incorporates [approximately]: Corporation Street to the North of the prohibition area, Market Street, Deansgate - the area between its junction with Bridge Street and Knowsley Street, Oxford Street, Hotel Street, Mealhouse Lane, Victoria Square, Newport Street, Exchange Street, Nelson Square, Howell Croft South.



**Q2 Does the secondary PSPO [plan 2] cover the right areas of the town centre?**  
This is where the use of skateboards, scooters and bicycles are prohibited

- Yes
  No
  No opinion

**Q3 Please explain which areas should be included in or left out of the PSPO**



**Overall**

**Q4 Please use this space for any comments on the proposal to extend the current Town Centre PSPO.**

**Thanks for your views. Please click 'submit' to send your response to us**

## Formal responses

### Greater Manchester Police

Bolton district of GMP are very much in favour of renewing the pspo. The order has proved to be both necessary and proportionate in dealing with a wide range of anti-social behaviours and allows us to work more effectively as a partnership by providing a clear framework around offences, responsibilities and potential enforcement options which are wider than if a PSPO did not exist. The PSPO has been particularly effective tool against begging in the town centre and clearly demonstrates the positive effect it can have

## Bolton Town Centre Public Space Protection Order

### Public Health Team Response

December 2021

Bolton Council Public Health Department provides the following response in relation to the consultation regarding the extension to the existing Town Centre PSPO, due to expire in February 2022.

Overall the department is supportive of the intention of the PSPO in making Bolton town centre a greener, healthier and safer place for people of all ages and backgrounds to enjoy living, working and spending time. We would suggest that, rather than simply being 'rolled over' the contents and geographical scope of the PSPO are considered in the context of the substantial redevelopments which are planned and underway in the town centre to ensure that measures that are put in place are aligned with and support this future vision for the town centre.

Specific responses are provided to the following prohibited activities which are proposed to be extended in their current form.

### Consumption of Alcohol on street and Intoxicating Substances

#### *1.1 Consumption of Alcohol on street*

*All persons are prohibited from consuming alcohol or having an open Alcohol container within the Prohibition Area after having been requested by an Authorised Officer to cease consumption or to hand over the container, unless subject to exemptions listed in section 5.*

#### *1.2 Intoxicating Substances*

*All persons are prohibited from behaving in a way which causes or is likely to cause harassment, alarm or distress to a member or members of the public within the Prohibition Area.*

We strongly support the retention of the above, as they are measures that support reducing the impact of problematic drinking and substance use. We would want to ensure that links are made with access to support and recovery services where appropriate, for example individuals who are frequently in breach of these elements of the PSPO. The government's new substance misuse strategy, 'From harm to hope: a 10-year drugs plan to cut crime and saves lives.' (HM Gov., Dec 2021) creates the capacity for more specialist substance misuse services for people with co-occurring issues -including those experiencing or at risk of rough sleeping, to come online soon led by public health and key partners.

More specifically this includes nationally,

- at least 7,500 more treatment places for people who are either rough sleeping or at immediate risk of rough sleeping – a 33% increase on the current numbers (p9)
- (work with NHS England to explore opportunities) for better commissioning to make sure that there is locally joined-up service provision between specialist mental health services and substance misuse services for people with co-occurring issues including those experiencing rough sleeping (p37)

This will allow local authorities with specialist partners, to extend our work to provide specialist treatment and recovery services to people sleeping rough and offer help to people whose ability to engage in treatment is hampered by their need for support with their housing.

To do this we will continue investment in the rough sleeping drug and alcohol treatment grant (RSDATG) to improve services for people who sleep rough or are at risk of sleeping rough, building on substantial funding invested in 2020/21 and 2021/22, including a further investment of at least £15 million to expand the strategy this over the next three years. RSDATG will provide at least 7,500 more people who are either rough sleeping or at immediate risk of rough sleeping with treatment...(p38)

Therefore, any future PSPO should consider the aims of the national and local substance misuse strategy and work in conjunction with the local Public Health Team to understand the local provision being developed and how this can contribute to tackling the problem of misuse at its heart and consequential anti-social behaviour within the town centre.

## **Prohibition of use of skateboards, scooters and bicycles**

### *1.12 Use of skateboards and scooters*

*All persons are prohibited from using a skateboard or Scooter within a specified part of the Prohibition Area.*

### *1.13 Use of bicycles*

*All persons are prohibited from cycling/ riding a bicycle within a specified part of the Prohibition Area. Emergency services are exempt.*

We strongly oppose the retention of the above, as they are measures that do not support people to make journeys by active travel to or through the town centre. Alternative safe routes, separated from motor traffic, are not yet available for the large majority of cross-town routes, and people who use cycles as mobility aids may find difficulty parking further from their destination. We feel the prohibition of the use of skateboards, scooters, and cycles at all times within the specified area is disproportionate as the use of a skateboard, scooter, or cycle is not in and of itself antisocial. Where skateboards, scooters, and cycles are used in a genuinely antisocial way, this can be more appropriately managed under the general antisocial behaviour prohibition, without inconveniencing responsible users. Active travel has many health and climate benefits, and these vehicles pose substantially lower risk of personal injury or death than motor vehicles - which are also present in the town centre including in the specified area - due to their lower speed and weight.

This prohibition has the effect of restricting or discouraging active travel trips, and does not send out the message that the council is supportive of its greater use, an important element of the borough's recently launched Climate Strategy.

We also have also looked at examples of alternative provision across the country to support appropriate cycle and scooter and skateboard behaviour and would like to draw attention to the consultation lead officers to the following examples:

Mansfield District Council introduced a ban on cycling through parts of Mansfield town centre in 2016 effective 24 hours a day, similar to that in the Bolton order. Negative publicity included in 2017 when the Tour of Britain took place along one of the affected streets. Legal proceedings were commenced in the high court between six affected cyclists (supported by Cycling UK's Cyclists Defence Fund) and Mansfield Council in September 2016. The ban has now been relaxed.

Daily Telegraph 20<sup>th</sup> August 2017. *Tour of Britain being hosted in town that bans cycling.*  
<https://www.telegraph.co.uk/news/2017/08/20/tour-britain-hosted-town-bans-cycling/>

Transport Network (2018). Mansfield relaxes ban on 'anti-social cycling'<https://www.transport-network.co.uk/Mansfield-relaxes-ban-on-anti-social-cycling/14817>

Project in Leicester City Council whereby `considerate cyclists welcome signage has replaced PSPO signage to encourage positive cycling behaviour. The Public health Team are happy to facilitate a further discussion with colleagues within the city council and Bolton Council to help explore this methodology and positive impact on cycling behaviour

[Steps taken to try to stop inconsiderate and dangerous cycling in Leicester's pedestrian streets - Leicestershire Live \(leicestermercury.co.uk\)](#)

## **Begging on the street**

### *1.4 Begging on the street*

*All persons are prohibited from, placing themselves in a position to beg or solicit money within the Prohibition Area.*

We support the retention of measures restricting all persons placing themselves in a position to beg or solicit money within the Prohibition Area.

However, we also acknowledge that homelessness/housing support services are based in and around the town centre which often creates a focal point for vulnerable adults to congregate in the immediate town centre. Continued engagement is needed with this vulnerable group in order to minimise those begging, by such services as council homelessness support team/ urban outreach and street kitchen to provide continued holistic services for this group.

## **Peddling/street trading**

### *1.5 Peddling/ street trading*

*All persons are prohibited from peddling/ trading goods within the Prohibition Area without an appropriate street trading licence issued by the Council.*

We support the retention of measures restricting unlicensed street trading as this activity does not add to the amenity of the town centre and can involve substandard, counterfeit and even dangerous goods in scenarios agencies such as Trading Standards find it difficult to regulate.

## General Summary from Public Health Team

In general we would support all other measures as provided in the PSPO order 2019 detail however, we would like to make the following comments about how to potentially improve the town centre public behaviour through other methods rather than PSPO conditions for the future taking a holistic Public Health approach..

- **Healthy high streets** can be considered an asset that promotes and improves the health of local residents and the wider local community. They feature good quality design and furniture, providing accessible, safe communal spaces that can be used to create healthier, safer and more cohesive local communities.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/699295/26.01.18\\_Healthy\\_High\\_Streets\\_Full\\_Report\\_Final\\_version\\_3.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/699295/26.01.18_Healthy_High_Streets_Full_Report_Final_version_3.pdf)
- For example, in Bolton town centre 'healthy high streets' could look like a creative space for performers or a non-drinking zone area where children and families from all communities feel safe and can enjoy food and entertainment representing our vibrant culture.
- **Crime and fear of crime can significantly affect footfall and contribute to high street degradation.** Crime Prevention through Environmental Design (CPTED) is an approach used to 'design out' crime. Its methods include; promoting local ownership, care and maintenance, improving natural surveillance, balancing access control with permeability (the ability to move freely), and maintaining local areas to prevent further destruction and criminal behaviour.
- **Business Improvement Districts' Contribution to Crime Reduction And The Challenges They Face In Addressing Levy Payers' Safety And Security Concerns** The\_BID\_Safe\_\_Secure\_Report.pdf (nbcc.police.uk)
- Not only do the majority of BIDs have the solid foundations of a Business Crime Reduction Partnership (BCRP) embedded into their 'safe and secure' models, the overall benefits they deliver far exceed traditional town centre approaches to crime reduction.
- Evidence from London Boroughs also showed that growing confidence of BID crime managers has led to an innovative and more holistic approach to crime reduction that incorporates the major societal issues e.g. investment in security improvements

The Public Health Team would like the opportunity to discuss some of these national initiatives further with the consultation leads, planning and town centre improvement colleagues, and how these methods could be considered to help achieve Bolton Town Centre's long term vision of the future.

# LIBERTY

Bolton Council  
Town Hall  
Victoria Square  
Bolton  
BL1 1RU

## LAWYERS

HEAD OF LEGAL  
CASEWORK

Louise Whitfield,  
Solicitor

Lana Adamou, Solicitor  
Lara ten Caten, Solicitor  
Megan Goulding,  
Solicitor  
Katy Watts, Solicitor

The solicitors employed by Liberty are individually authorised and regulated by the Solicitors Regulation Authority.

By email only to: [community.safety.services@bolton.gov.uk](mailto:community.safety.services@bolton.gov.uk) and  
[hilary.fairclough@bolton.gov.uk](mailto:hilary.fairclough@bolton.gov.uk)

Our ref: 39/LC/HST

10 December 2021

Dear Madam or Sir

### Public Spaces Protection Order Consultation - Bolton Council

We write in relation to Bolton Council's ('the Council') Consultation ('the Consultation') regarding the renewal of its Town Centre Public Spaces Protection Order dated 19 February 2019 (the 'PSPO'). For the reasons set out below, we ask that the Council drops its proposals to renew the PSPO, which contains prohibitions that target vulnerable individuals and unduly restrict civil liberties.

Our letter is based on information regarding the Consultation as set out on the Council's website,<sup>1</sup> as well as the PSPO itself.<sup>2</sup>

#### 1. Background to Liberty's concerns

Liberty has been concerned about the impact of PSPOs since their inception and has successfully persuaded a number of local authorities not to pursue their proposed PSPOs. We are particularly concerned about the potential misuse of PSPOs, especially those that punish poverty-related behaviours, such as begging. For the reasons set out below, we are against the renewal of the PSPO.

<sup>1</sup> <https://www.bolton.gov.uk/downloads/file/3954/faq-accessing-support>, accessed 10 December 2021.

<sup>2</sup> <https://www.bolton.gov.uk/downloads/file/1917/bolton-town-centre-public-spaces-protection-order-2019>, accessed 10 December 2021.



## 2. Evidence

We are disappointed with the lack of evidence that has been published on the Council's website to support the PSPO and, in particular, the provisions that seek to criminalise poverty and inhibit the right to protest.

The Council is required by s. 60 of the Anti-social Behaviour, Crime and Policing Act 2014 (the 'Act') to be satisfied on reasonable grounds that the extension of the PSPO is necessary to prevent the occurrence or recurrence of the activities specified in the PSPO or to prevent an increase in the frequency or seriousness of those activities.

The Council cannot reasonably be satisfied of these conditions without first considering robust evidence on the situation in the area which will be covered by the renewed PSPO.

The Council's FAQ document states: '*The prohibitions included in the current PSPO are proportionate, based on evidence, consultation responses and analysis and we believe are necessary to address the issues of anti-social behaviour within the specified designated location*' (emphasis added).<sup>3</sup> However, there is no such evidence on the Council's website. Rather, Bolton Council's Deputy Leader, Cllr Hilary Fairclough was recently reported as giving a number of concerning statements. Specifically, that "*People begging on the streets can be intimidating to others and put people off visiting the town centre*", that the Council will "*crack down on anyone who comes into Bolton to exploit the generosity of our residents*" and that the individuals prosecuted under the PSPO "*have access to accommodation, regardless of any claims they might make*".<sup>4</sup> The Council appears to be using the PSPO to target and criminalise the poorest sector of its population in an attempt to socially cleanse the town. It is unclear what '*access to accommodation*' means. A person who is sofa-surfing but destitute would seem to fall into this category. Such a person may have no option but to beg in order to support themselves. The Council's failure to publish evidence of a problem with the behaviours it seeks to criminalise is particularly concerning given how extensive the provisions of the PSPO are, and the broad range of behaviours it proposes to prohibit.

If the Council goes ahead with making this PSPO without sufficient evidence, it will be unlawful and vulnerable to challenge in the High Court.

Furthermore, we note that the Council carried out Equality Impact Assessment ('EIA') for the PSPO in March 2018.<sup>5</sup> That EIA is flawed as it does not properly consider the impact of the prohibitions on disabled persons, in particular on those who have suffered trauma and/or have mental health problems.

The adverse impact of trauma on people's physical<sup>6</sup> and mental health is well understood and recognised.<sup>7</sup> There are well-established links between homelessness,

<sup>3</sup> <https://www.bolton.gov.uk/downloads/file/3954/faq-accessing-support>, accessed 10 December 2021.

<sup>4</sup> <https://www.bolton.gov.uk/news/article/1272/residents-urged-to-give-to-homelessness-charities-as-council-cracks-down-on-begging>, accessed 10 December 2021.

<sup>5</sup> Equality Impact Assessment, Town Centre Public Spaces Protection Order (PSPO) dated 23/03/2018, accessed [here](#) on 10 December 2021.

<sup>6</sup> [About the CDC-Kaiser ACE Study |Violence Prevention|Injury Center|CDC](#), accessed 10 December 2021.

<sup>7</sup> <https://www.mind.org.uk/information-support/types-of-mental-health-problems/trauma/effects-of-trauma/#:~:text=had%20to%20say.%22-,Trauma%20and%20physical%20health%20problems,impact%20on%20your%20physical%20health.>, accessed 10 December 2021.



trauma<sup>8</sup> and disability. There is therefore a risk that this PSPO will unlawfully discriminate against disabled people, including those living with mental health conditions. This is also recognised in the Rough Sleeping Strategy, which sets out as one of its goals to '*address associated issues such as substance misuse and mental health issues which frequently contribute to repeat homelessness.*'<sup>9</sup> These complex issues are usually a result of trauma.<sup>10</sup> Those who are living on the streets and living with trauma and/or mental health problems are precisely those who are the most vulnerable; they should not be targeted and risk having their rights infringed in this way.

The Council should conduct a further EIA before considering renewing the PSPO. If you contend that you have carried out a further EIA, addressing the concerns above, we request a copy of it.

### 3. General concerns

The presence of people living in the streets, who may be begging, is a symptom of poverty and of the detrimental impact of economic inequality and other factors, not the cause. The Council should liaise with local community partners to address the causes of homelessness; not extend a PSPO that simply moves the problem to neighbouring areas.

In addition, the PSPO provisions constitute a potential interference with Article 8 of the European Convention of Human Rights ('the Convention'). The Council is bound by s. 6 of the Human Rights Act 1998, under which it must not act in any way which is incompatible with any rights contained in the Convention. Article 8 of the Convention deals with the right to respect for private and family life. This right extends to the protection of personal autonomy and can apply to activities conducted in public; this is especially true of the homeless whose scope for private life is highly circumscribed. Any interference with this right must be 'in accordance with the law', a concept which has been interpreted to mean that any relevant legal provision must be circumscribed with precision and allow sufficient foreseeability of its breadth and consequences. There is a clear risk that the vague terms included in the PSPO fail to satisfy this requirement and, therefore, are unlawful under Article 8 of the Convention.

### 4. Anti-social behaviour and begging

**1.3 All persons are prohibited from behaving in a way which causes or is likely to cause harassment, alarm or distress to a member or members of the public within the Prohibition Area.**

**1.4 All persons are prohibited from, placing themselves in a position to beg or solicit money within the Prohibition Area.**

This prohibition is a blanket ban that is unsupported by evidence, is not needed and must be removed. This blanket ban would also prevent charitable acts: someone who

<sup>8</sup>

[https://www.feantsa.org/download/feantsa\\_traumaandhomelessness03073471219052946810738.pdf](https://www.feantsa.org/download/feantsa_traumaandhomelessness03073471219052946810738.pdf), accessed 10 December 2021

<sup>9</sup> *Rough Sleeping Strategy August 2018 – Ministry of Housing, Communities and Local Government*, page 44, accessed on 10 December 2021.

<sup>10</sup> From enforcement to ending homelessness: guides (crisis.org.uk) pages 17-19, accessed 10 December 2021 here: <https://www.crisis.org.uk/ending-homelessness/resources-for-practitioners/housing-centre-guides/from-enforcement-to-ending-homelessness-guides/>.

is living in the streets should not be criminalised simply because they have accepted a sandwich or a cup of coffee from a passer-by or from a charity.

It is highly likely that a significant portion of, if not all, people begging in the PSPO area are doing so because they are in desperate need of financial help. No one in that situation should be fined and criminalised. Such behaviour is the inevitable consequence of poverty and deprivation, not anti-social behaviour.

A blanket ban on begging could have a harmful and disproportionate effect on the most vulnerable people in your area. A recent article published by Bolton News highlighted the increasing poverty rates in Bolton. It reported that '*Bolton's child poverty rate increased from 32.9 per cent in 2014/15 to 37 per cent in 2019/20*' and that in Bolton South East '*45 per cent of children [are] living in poverty*'.<sup>11</sup>

The Home Office's guidance, 'Anti-social Behaviour, Crime and Policing Act 2014 – Anti-social behaviour powers – Statutory guidance for frontline professionals', revised in January 2021 (the 'Statutory Guidance'),<sup>12</sup> states that local authorities should define '*precisely*' the behaviour that is having the detrimental impact on the community. This proposed prohibition fails to do this. Moreover, the provision contravenes the Statutory Guidance urging councils to '*consider carefully the nature of any potential Public Spaces Protection Order that may impact on homeless people and rough sleepers*'.<sup>13</sup> The Statutory Guidance also emphasises that the prohibited behaviour itself must be unreasonable, and that PSPOs should only be used to address any specific behaviour which is within the control of the person concerned.<sup>14</sup> Begging when in poverty is not in itself harmful or unreasonable, nor does that person have any other option where begging is their only means to provide for themselves.

Additionally, it is not reasonable (or efficient) to slap those who are begging with fines that they cannot afford to pay. Indeed, it would be particularly cruel and perverse for those caught begging in violation of the PSPO to have to pay a fine using the little money they might have saved from charitable donations. The only method of enforcing a PSPO is by way of a Fixed Penalty Notice (a 'FPN') of up to £100 or, upon prosecution, a fine of up to £1,000. A PSPO does not give council officers, police officers or Magistrates any other additional powers, for example powers to require engagement with substance misuse services. It is very concerning that, despite this, the Council is currently issuing fines and prosecuting individuals under the PSPO: in October, it was reported that nine individuals were prosecuted under the PSPO after failing to pay an FPN.<sup>15</sup>

Blanket bans on begging are also likely to be ineffective. As the Statutory Guidance suggests, '*introducing a blanket ban on a particular activity may simply displace the*

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<sup>11</sup> <https://www.theboltonnews.co.uk/news/19323776/bolton-mp-raises-concerns-child-poverty-rates-bolton-soar/>, accessed 10 December 2021.

<sup>12</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/956143/ASB\\_Statutory\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956143/ASB_Statutory_Guidance.pdf), page 65, accessed 10 December 2021.

<sup>13</sup> Ibid.

<sup>14</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/956143/ASB\\_Statutory\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956143/ASB_Statutory_Guidance.pdf), pages 59 - 60, accessed 10 December 2021.

<sup>15</sup> <https://www.bolton.gov.uk/news/article/1272/residents-urged-to-give-to-homelessness-charities-as-council-cracks-down-on-begging>, accessed 10 December 2021.

*behaviour and create victims elsewhere*.<sup>16</sup> This has been the experience of many other local authorities who have enacted similar provisions.

The prohibition on begging constitutes an interference with Articles 8 and 10 of the Convention and therefore the Human Rights Act 1998. The measure interferes with these rights in two ways. Firstly, begging is an expression of poverty and disadvantage. Criminalising this behaviour may undermine the right to freedom of expression under Article 10 of the Convention. Secondly, as outlined above, Article 8 of the Convention extends to the protection of personal autonomy and can apply to activities conducted in public. Begging is a form of interaction with others which falls within the scope of the right to respect for private life under Article 8. As such, its criminalisation may be unlawful owing to a breach of Article 8.

Indeed, in a recent case in the European Court of Human Rights (the 'ECtHR'), a blanket ban on begging such as the one you are consulting on was held to be unlawful.<sup>17</sup> The court stated that the penalty given impaired the very "essence" of Article 8 and ultimately undermined 'human dignity'. In light of this judgment, it is highly likely that enforcement of this provision of the PSPO would amount to a breach of the Human Rights Act and be unlawful.

This is further supported by a recent case in which Liberty was involved. Liberty was instructed on behalf of a Poole resident in a statutory appeal before the High Court, challenging Bournemouth, Christchurch and Poole Council's PSPO which included a prohibition on begging (CO/2060/2018). Following the issuing of proceedings, BCP Council's officers recommended to BCP's Cabinet that it varied the order to remove the prohibitions relating to begging and rough sleeping. Notably, Council leader Vikki Slade expressed that people should be treated '*as humans*' and '*not vermin*'.<sup>18</sup> Liberty agrees. BCP Council ultimately agreed to remove all offending provisions. In light of this, we urge the Council to reconsider its proposed renewal of the PSPO. If it decides to renew the begging provisions, it would be vulnerable to a similar legal challenge.

Furthermore, any blanket ban on begging is potentially discriminatory, as stated above. There are well-established links between begging, homelessness and disability. There is therefore a risk that this provision will unlawfully discriminate against disabled people.

## 5. Obstructing the highway

***1.9 All persons are prohibited from causing or permitting an obstruction on the carriageway of a street in the Prohibition Area after having been requested to remove the obstruction from the carriageway by an Authorised Officer. This includes A-boards and other forms of unauthorised street advertisement unless they are in possession of written authorisation from the Council.***

We are concerned that this provision would grant an excessively broad discretion to enforcement officers and could be used to wrongly target those who are simply sleeping on the streets in the PSPO area, whilst not causing nuisance or engaging in violent behaviour.

<sup>16</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/956143/ASB\\_Statutory\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956143/ASB_Statutory_Guidance.pdf), page 81, accessed 10 December 2021.

<sup>17</sup> *Lacatus v. Switzerland* (application no. 14063/15) [19.01.2021].

<sup>18</sup> <https://www.bbc.co.uk/news/uk-england-dorset-54091770>, accessed 10 December 2021.



The Statutory Guidance states (emphasis added):

*Public Spaces Protection Orders should not be used to target people based solely on the fact that they are homeless or rough sleeping, as this in itself is unlikely to mean that their behaviour is having an unreasonably detrimental effect on the community's quality of life which justifies imposing restrictions using a PSPO. Councils may receive complaints about homeless people, but they should consider whether the use of a Public Spaces Protection Order is the appropriate response. These Orders should be used only to address any specific behaviour that is causing a detrimental effect on the community's quality of life which is within the control of the person concerned.*

*Councils should therefore consider carefully the nature of any potential Public Spaces Protection Order that may impact on homeless people and rough sleepers. It is recommended that any Order defines precisely the specific activity or behaviour that is having the detrimental impact on the community. Councils should also consider measures that tackle the root causes of the behaviour, such as the provision of public toilets.*

*The council should also consider consulting with national or local homeless charities when considering restrictions or requirements which may impact on homeless people and rough sleepers.<sup>19</sup>*

In reference to the wording of the PSPO, the 'obstructing' condition is vague and widely drafted. These vague provisions could easily be interpreted to even cover someone sitting on the floor in Bolton town centre or surrounding streets.

The presence of people living on the streets in an area is a *symptom* of poverty and of the detrimental impact of economic inequality and other factors, not the cause. A PSPO will do nothing to deal with the root causes of such problems, as the Statutory Guidance sets out that it should.<sup>20</sup> This provision is simply likely to move those living on the streets to a neighbouring area.

These provisions would also constitute a potential interference with Article 8 of the Convention, as explained in respect of prohibitions 1.3 and 1.4 above. There is a clear risk that the vague terms included in the proposed PSPO (i.e., 'causing or permitting an obstruction') will interfere with individuals' autonomy in an unlawful manner, rendering this prohibition void.

This provision is also potentially discriminatory for the same reasons as those set out above in respect of prohibitions 1.3 and 1.4, regarding links between begging, homelessness and disability. The Council must conduct a new EIA in respect of this prohibition to ensure compliance with the Equality Act 2010.

## 6. Use of amplifiers

*1.11 All persons are prohibited from using a loudspeaker or amplification by electronic means on the public highway, within the Prohibition Area unless they are in possession of written authorisation from the Council.*

<sup>19</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/956143/ASB\\_Statutory\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956143/ASB_Statutory_Guidance.pdf), page 65, accessed 10 December 2021.

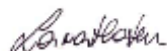
<sup>20</sup> Ibid.

This prohibition will unreasonably restrict the civil liberties of residents, as it may lead to protesters being prevented from using a loudspeaker or microphone during a peaceful protest, for example. This would risk breaching residents' rights under Article 11 of the Convention.

#### 7. Conclusion

The proposed renewal of the PSPO in Bolton is not only potentially unlawful and unreasonable; it also constitutes a disproportionate interference with basic rights, including people's right to inherent human dignity. It adds nothing to the fight to alleviate poverty. We urge you to think again.

Yours faithfully



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