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## **GROWTH AND PROSPERITY OVERVIEW AND SCRUTINY PANEL (REVIEWS)**

### **(REVIEW OF SKATEBOARDING BY-LAW)**

**DATE: THURSDAY 3 DECEMBER 2009**  
**TIME: 10.00 AM**  
**PLACE: COUNCIL HOUSE, PLYMOUTH (NEXT TO THE CIVIC  
CENTRE)**

**Committee Members–**  
Councillor Coker, Chair  
Councillors Ball and Martin Leaves

***Members are invited to attend the above meeting to consider the items of  
business overleaf.***

***Members and Officers are requested to sign the attendance list at the  
meeting.***

**BARRY KEEL  
CHIEF EXECUTIVE**

## **GROWTH AND PROSPERITY OVERVIEW AND SCRUTINY PANEL (REVIEWS)**

### **1. APOLOGIES**

To receive apologies for non-attendance submitted by task and finish group Members.

### **2. DECLARATIONS OF INTEREST**

Members will be asked to make any declarations of interest in respect of items on this agenda.

### **3. CHAIR'S URGENT BUSINESS**

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

### **4. MINUTES**

**(Pages 1 - 4)**

To confirm the minutes of the meeting held on 28 October 2009.

### **5. REVIEW OF PLYMOUTH SKATEBOARDING BY-LAW:**

#### **5.1. Project Initiation Document for the Scrutiny Item**

**(Pages 5 – 6)**

Members of the Task and Finish group will be provided with a copy of the project initiation document for their information.

#### **5.2. Witnesses**

Members of the Task and Finish Group will have the opportunity to hear from, and question representatives of council service areas, community group representatives and members of the public in relation to their views on the skateboarding by-law.

#### **5.3. Questionnaire Results**

Members of the Task and Finish Group will be provided with results from the skateboarding questionnaire.

#### **5.4. Breakdown of Questionnaire Results - TO FOLLOW**

Members of the Task and Finish Group will be provided with a breakdown of the skateboarding questionnaire results.

## **6. EXEMPT BUSINESS**

To consider passing a resolution under Section 100A (4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) ... of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

### **PART II (PRIVATE MEETING)**

#### **AGENDA**

#### **MEMBERS OF THE PUBLIC TO NOTE**

that, under the law, the Overview and Scrutiny Task and Finish Group is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

NIL.

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## **Growth and Prosperity Overview and Scrutiny Panel (Reviews)**

**Wednesday 28 October 2009**

### **PRESENT:**

Councillor Coker, in the Chair.  
Councillors Ball and Martin Leaves.

Apologies for absence: Councillor Reynolds

The meeting started at 10.00 am and finished at 11.00 am.

*Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.*

### **5. DECLARATIONS OF INTEREST**

There were no declarations of interest in accordance with the code of conduct.

### **6. CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

### **7. REVIEW OF PLYMOUTH SKATEBOARDING BY-LAW**

The Panel was provided with information on the current skateboarding by-law and its scope, however it was highlighted that the aim of the Task and Finish Group was to focus upon skateboarding in the city centre. The by-law includes Broadway and Ridgeway which the Group will have to take into account but are not the focus of the group.

The Panel was informed that –

- (i) there was not a complete ban on skateboarding under the existing skateboarding by-law;
- (ii) an individual, under the current skateboarding by-law, had to be deemed to be causing a nuisance or be a threat to health and safety in order for any further action to be taken;
- (iii) there was an issue with the clarity of the by-law which made policing and enforcement difficult.;

In response to questions raised it was reported that –

- (iv) the wording of the current by-law was open to interpretation as it stated that 'no person shall in any of the designated areas skate, slide or ride on rollers, skateboards, wheels, mechanical contrivances or other equipment in such a manner as to cause danger or nuisance...'; it was highlighted that the word nuisance was very ambiguous;
- (v) the possibility that adequately detailed signage could be erected in the city centre informing individuals of the by-law was discussed, further research is required to determine if this is practical or desirable;
- (vi) the skateboarding by-law was produced by Plymouth City Council, however it was currently the responsibility of Devon and Cornwall Police to enforce;

- (vii) discussions had taken place between a Plymouth City Council Lawyer and a representative from Devon and Cornwall Police with regards to the enforcement of the Skateboarding by-law; it was suggested that PCSOs be engaged with the policing and enforcement of the by-law however it may then be the responsibility of the Council to provide resources for prosecution;
- (viii) the confiscation of skateboards, directed to those individuals who caused a nuisance, was a possibility that would be discussed at the next meeting;
- (ix) the current scope of the skateboarding by-law covers the city centre, the Ridgeway and the Broadway;
- (x) a blanket prohibition of skateboarding in the area might cause the problem to move to another part of the city;
- (xi) the existing skate park at Central Park was to close due to the commencement of the Life Centre Project however there were plans for a replacement skate park to be built; consultation on a proposed site which would be situated in the vicinity of the current skate park was due to start on 11 November 2009. The press release due to be issued this week would be circulated to Panel Members as soon as possible;
- (xii) the main amendment to the proposed skateboarding by-law was contained in paragraph two in which it was stated that 'no person shall skate, slide or ride on rollers, skateboards or other self propelled vehicles in the designated areas (except where authorised to do so by the owner of the land)'; it was thought that wheelchair users would not be affected by this, however this would be investigated. It was made clear that this group was only dealing with skateboarding, issues such as cycling in the City Centre are not part of this remit;
- (xiii) the request for a Public Consultation in the form of a questionnaire providing the views of individuals upon skateboarding in the city centre would be submitted to the 3 December meeting;
- (xiv) there was varied ownership and responsibility of land outside the Council House and Civic Centre, some of it was maintained by Highways and some by Parks;
- (xv) skateboarding has and still does cause damage to street furniture, the cost of repair is not believed to be high and this issue will be examined in more detail at the next meeting

Resolved that –

- (1) feedback from the questionnaire be submitted to the 3 December meeting;
- (2) the two members of the Youth Parliaments be invited to attend the next meeting but also asked to conduct a young persons poll on views around skateboarding in the city centre;
- (3) the rules regarding the co-opting of new Members on to the Task and Finish Group be checked;
- (4) the following people be invited to attend the next meeting:
  - Councillors Stephens, King and McDonald
  - Councillor Stevens
  - Nick Marker – Prime Delux

- a representative from the Youth Parliament
- John Drury - Anti-Social Behaviour Manager
- Inspector Willingham
- PCSO for the city centre area
- the owner of Café Roma
- Mike Kendall - Highways Management Co-ordinator
- Catherine Dilloway – Milehouse Skate Park
- Skateboarders

(5) CCTV images of incidents caused by skateboarding be sought from the Police.

8. **EXEMPT BUSINESS**

There were no items of exempt business.

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## Request for Scrutiny Work Programme Item

1	<b>Title of Work Programme Item</b>	Review of Plymouth Skateboarding Byelaw		
2	<b>Responsible Director (s)</b>	Nigel Pitt, Director of Development and Regeneration		
3	<b>Responsible Officer Tel No.</b>	Tom White, Head of Network Management Ext 4256		
4	<b>Aim</b>	To carry out a review of the current skateboarding byelaw that was enacted in 2001, to ensure that it is operating in the most effective way.		
5	<b>Objectives</b>	To consult with colleagues in the Police, ward members, Area Committees, other Council departments and other stakeholders and to investigate alternative options.		
	<b>Benefits</b>	The proposed 'Task and Finish Group' would enable a full debate between all interested parties before any conclusions are drawn.		
	<b>Beneficiaries</b>	Members of the public - Improved safety and potential new facilities Police - Ability to enforce byelaw		
6	<b>Criteria for Choosing Topics</b>	A number of complaints have been received from members of the public, has also been an issue raised at Area Committee meetings Potential risk to health and safety in 'shared space' Damage to street furniture Facilities for young people		
7	<b>Scope</b>	Three areas covered by the existing byelaw; City Centre, Broadway and Ridgeway		
	<b>Exclusions</b>	None		
8	<b>Programme Dates</b>	TBC		
	<b>Timescales and Interdependices</b>	<b>Milestones</b>	<b>Target Date for Achievement</b>	<b>Responsible Officer</b>
		TBC	TBC	TBC
9	<b>Links to other projects or initiatives / plans</b>	City Centre Area Action Plan West End Regeneration/Shared Space Corporate Plan (CIPs 1, 2 and 6)		
10	<b>Relevant Overview and Scrutiny Panel</b>	Sustainable Communities/Growth & Prosperity OSP		
11	<b>Lead Officer for Panel</b>	Daniel Sharpe, Partnership Compliance Officer		
12	<b>Reporting arrangements</b>	TBC, once timescales have been agreed		
13	<b>Resources</b>	Staff time only (quantify by dept)		
14	<b>Budget implications</b>	Resources within existing budgets		

<b>15</b>	<b>Risk analysis</b>	Public perception CCAAP/Shared Space Coordinated Solution Health and Safety
<b>16</b>	<b>Project Plan / Actions</b>	Project Plan to be prepared by relevant officers and lead members of Task and Finish Group