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GROWTH AND PROSPERITY OVERVIEW AND SCRUTINY PANEL (REVIEWS)

(REVIEW OF SKATEBOARDING BY LAW)

DATE: TUESDAY 12 JANUARY 2010
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 - 10)

To confirm the minutes of the meeting held on 3 December 2009.

5. REVIEW OF PLYMOUTH SKATEBOARDING BY-LAW:

5.a. Project Initiation Document for the scrutiny item (PAGES 11-12)

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

5.b. Witness - police representative

Members of the Task and Finish Group will have the opportunity to hear from and question a representative from Devon and Cornwall Police in relation to views on the skateboarding by-law and enforcement.

5.c. Estimated costs of deterrent measures to city centre furniture and paving - TO FOLLOW

Members of the Task and Finish group will be provided with estimated costs of deterrent measures to city centre furniture and paving.

5.d. Further opinions upon skateboarding - TO FOLLOW (PAGES 13-14)

Members of the Task and Finish group will be provided with further opinions upon skateboarding.

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)

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)

Thursday 3 December 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 12.30 pm.

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.

14. DECLARATIONS OF INTEREST

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

15. CHAIR'S URGENT BUSINESS

There were no items of chair's urgent business.

16. MINUTES

Resolved that the minutes of the meeting held on 28 October 2009 be confirmed as a correct record.

17. REVIEW OF PLYMOUTH SKATEBOARDING BY-LAW

The Task and Finish Group Panel considered representations from a local businessman, Ward Councillors and representatives of council service areas in relation to their views on the skateboarding by-law. The following individuals were invited to the meeting to provide the panel with their opinions and answer any questions raised:

- John Williams – Café Roma Manager
- Sarah Harris – Youth Parliament Coordinator
- Kathy Davey – City Centre Street Operations Manager
- Mike Kendall - Highways Management Coordinator
- John Drury – Anti-Social Behaviour Manager
- Catherine Dilloway – Project Manager
- Karen Brimicombe - Portfolio Manager
- Councillor Stevens – Ward Councillor for Devonport
- Councillor Mrs. Stephens – Ward Councillor for St Peter and the Waterfront
- Anthony Patten -

John Williams, Café Roma Manager, informed the Panel that –

- (1) he did not consider the skateboarders to be a problem as they were good children;
- (2) there were other more important problems involving youths in the city centre that should be addressed first;
- (3) the skateboarders should not be criminalised as they were partaking in a sport and had not caused nuisance elsewhere;

- (4) he accepted the potential fear skateboarders caused to the elderly and the damage they caused to street furniture however he felt that the issue could be addressed by communicating with the skateboarders in order to make them aware of the potential problems they were causing;
- (5) at weekends there were many more undesirable people in the city centre, such as gangs of youths who ran riot;
- (6) it was important that the Council should work with the skateboarders other than against them;
- (7) an area should be allocated in the city centre where the youths could skateboard;

In response to questions raised, John Williams informed the Panel that –

- (8) he considered that the issue with skateboarding was likely to be a problem throughout the country;
- (9) if skateboarders were given a designated area to skate and didn't use it there would be a problem;
- (10) he had been informed that Central Park skate park was too dangerous to use;
- (11) skateboarders liked to have an audience;
- (12) the skateboarders did not need more laws which would criminalise them; he felt that essentially they were good children who needed guidance;

Sarah Harris, Youth Parliament Coordinator, informed the Panel that –

- (13) she had attempted to canvass views of skaters with regards to the Task and Finish Group however this was made difficult by exams, the Wild Mouse roller coaster and the weather;
- (14) flyers had been created by members of the youth parliament in order to encourage people to take part in the task and finish group;
- (15) she had visited the piazza on four separate occasions and was provided with the following responses:
 - “Trying to ban skating in the city centre will be impossible. Who would police it? What would the penalties be? What about no ball areas – who polices them?”
 - “Surely the better way is to provide an area where we can skate in a safer way?”
 - “I've been skating outside the civic centre for nearly 10 years now and it's only recently become a problem. Recently more people are getting into skating and they are inexperienced. This means that they come off their boards easily, which is when they shoot out from under them. If you outlined an area and put a kerb around it, boards wouldn't shoot off into people as they would stop at the boundary.”
 - “This is the worst timing ever, it's like the entire council is out to get us. Why not at least leave it until the new skate facilities at Central Park have been built.”

- “If it was banned, we would probably go up on the flat part of the Hoe but how long will it be before we are moved on from there! It’s not ideal there either as it is windier and flat so there are no places to do jumps and tricks.”
 - “We know that Prime Delux (a skateboarding shop on Ebrington Street) is building a new indoor skate park but we will have to pay to get in. When your friends live all over Plymouth, we all travel to meet up with other in the city centre. Once we have paid City Bus, we don’t really have the money to pay for anything else – but that’s an issue for another day.”
 - “We feel really angry that there is nowhere for us to go. We know that there is currently an area in Central Park but there are far too many skaters in Plymouth for those small ramps and they are coming down now anyway.”
- (16) the mobile skate park had been booked in previous years to encourage young people to attend UK Youth Parliament Election Day; the skate park was owned by Plymouth City Council Youth Service and leased to Stonehouse Play Space Association on a Service Level Agreement for the Youth Service to have 60 sessions a year for 2 years, at the end of this time, it would return to the Youth Service;
- (17) the implementation of a new skateboarding by-law could effect youth service provision already in place in the city centre;
- (18) problems may arise if the potential skateboarding ban imposed in the city centre coincided with the closure of Central Park skate park;

In response to questions raised, Sarah Harris informed the Panel that –

- (19) there were territorial issues between skaters that frequented Central Park skate park and those that skated outside of the civic centre;
- (20) having spoken to several skateboarders in the area she considered that some skateboarders were aware of the perception of fear from the elderly and were concerned by this;
- (21) having visited a local skateboard shop she could confirm that skateboarding equipment could be very expensive;
- (22) skateboarders were unable to attend the task and finish group meeting as the majority were at school;
- (23) she was unaware of the exact number of skateboarders who skated in the city centre however she estimated 80 people;
- (24) the skateboarders were not necessarily aware of the damage they had caused to street furniture; it was considered that unless the skateboarders were informed of the damage they had caused they would continue to be ignorant of it;
- (25) it may be beneficial to hold an open day on a Saturday in order hear the views of the skateboarders;
- (26) the Wild Mouse roller coaster had confined skateboarders into a smaller area and the majority of skateboarders who skated outside the Civic Centre seemed ok with this;

Kathy Davey, City Centre Street Operations Manager, informed the Panel that –

- (27) she had been employed by the council for 14 years, 10 of those worked outside in the city centre on a daily basis; in the last 5 years she had been seconded to the City Centre Company;
- (28) the City Centre Company employed wardens and on a daily basis they received complaints in respect of skateboarding and cycling in city centre;
- (29) there were very few reported injuries from skateboarders in the city centre that she was aware of;
- (30) from a personal viewpoint, she considered that perceptions were an important factor with regards to skateboarding in the city centre; she felt that the public feared for their safety and were intimidated by skateboarders that sped towards them at fast speeds;
- (31) individuals feared they would be injured;
- (32) she had received phone calls from the 'First Stop Shop' from Councillors asking her to speak to the skateboarders;
- (33) she considered the skateboarders to be very nice people who were enjoying their sport;
- (34) on numerous occasions she had approached the skateboarders and highlighted to them the damage they had caused to street furniture and reminded them of the terror they inflicted upon elderly people;
- (35) she believed that skateboarding should be banned to protect the public, however she felt that other facilities should be provided to the skateboarders such as a fenced off area in which they could skateboard safely and the public could enjoy watching them;

In response to questions raised, Kathy informed the Panel that –

- (36) the current skateboarding by-law was difficult to enforce as the wording wasn't clear;
- (37) she would support the idea of moving the skateboarders to a designated in the city centre;
- (38) people who walked on the pavement did not expect to see a skateboarding coming towards them;
- (39) skateboarders enjoyed skating on walls and seats; she felt it would be beneficial to simulate an area that included these objects;
- (40) the Copthorne Hotel had experienced lots of problems with skateboarding so she felt it would not be beneficial to anyone to move skateboarders to this area of the city centre;
- (41) the skateboarders who skated in the city centre were street skaters who would not like to skate inside; she believed they enjoyed the thrill of skating on the street where they were in view;
- (42) skaters who skated in the city centre felt safer there than in the Central Park skate park;

(43) she believed that some people may view skateboarding in the city centre negatively;

Mike Kendal, Highways Management Coordinator, informed the Panel that –

(44) he currently worked with AMEY but had previously worked in highway maintenance;

(45) in 2009 money had not, as of yet, been spent on repairs to any street furniture caused by skateboarders;

(46) each granite seat panel would cost £300 to repair if it was damaged;

(47) it was thought in previous years the average repair cost caused by skateboarders was £250;

(48) this year, damage to street furniture was not an issue for highway maintenance;

(49) the edges of the pool that the skateboarders skated on were covered by asset management;

In response to questions raised, Mike Kendal informed the Panel that –

(50) deterrent paving could be used along the approaches to seating in the city centre to stop skateboarders using it as it was considered that the paving would take the speed away;

(51) nibs could be added to street furniture to stop skaters using it as a ramp, this had been adopted before on some seats, the cost was £50 for each nibs and in total £300 for one seat;

(52) he agreed that skateboarding in films was a big influence to skateboarders in Plymouth;

(53) he didn't consider skateboarding to be a big problem in other major cities across the country;

(54) he was unaware if the original manufacturer who provided the nibs for previous street furniture was still in business;

(55) he would provide the panel with an estimated cost to implement deterrent paving in the city centre;

Mr John Drury, Anti Social Behavior Manager, informed the Panel that –

(56) he felt the issue around skateboarding in the city centre was a land use issue;

(57) the skateboarders should be accommodated as they were taking part in a legitimate activity;

(58) the skateboarders liked to use furniture, steps and hand rails;

(59) the skateboarders used the city centre to skate as it was a safe environment for them to skate in which they could be seen; the topography was also right as the city centre was flat;

(60) skateboarders are more likely to move away from the city centre if they were provided with a suitable site nearby;

- (61) the young people should be accommodated and not alienated;
- (62) deterrent paving was more likely to trip up members of the public;
- (63) skateboarders could displace to another area if the by-law was to be changed to ban skateboarding completely in the city centre;

In response to questions raised, Mr John Drury, informed that panel that –

- (64) the key indicator was to improve peoples' perceptions of anti social behaviour;
- (65) the law can affect the skateboarders job prospects if they get in trouble for skateboarding;
- (66) the skateboarders liked the city centre because it had a lot of levels for them to skateboard on;

Catherine and Karen, Project Manager and Portfolio Manager, informed the Panel that –

- (67) the existing skate park in Central Park opened in 2004 and needed to be relocated because of the Life Centre;
- (68) the skate park was very popular and was funded by Sport England;
- (69) consultation had finished on the relocation of the skate park to a new site; several people were in favour of the new location which was nearby;
- (70) the skate park was due to shut in February 2010;
- (71) a programme had been drawn up to deliver the new skate park in a short time scale;
- (72) the site allocated for the new skate park was much larger than the existing site in order to allow potential for the skate park to be enlarged;

In response to questions raised Catherine informed the Panel that –

- (73) the new skate park would have the same budget and would be the same size as the existing skate park in Central Park;
- (74) a survey was to be arranged in order to assess how many trees would have to be cut down to provide the new skate park; there would be no net loss of trees as any cut down would be replanted;
- (75) other provisions would be provided to young people when the skate park closes such as an indoor skate park in Cattedown, a mobile skate park provided by the youth service as well as trips to other skate parks in the area;
- (76) she was unaware of the number of skateboarders that used the existing site, however she highlighted that it was extremely busy and was a well regarded facility;
- (77) it was important that the new skate park incorporated designs to compliment the indoor skate park at Cattedown;
- (78) results received from the consultation for the new skate park at Central Park were generally provided by the skater shops in Plymouth as a lot of skateboarders frequented them;

Councillor Stevens, ward Councillor for Devonport, informed the Panel that –

- (79) he had raised the issue of skateboarding in the city centre throughout his time as chair of the Devonport, Stoke, St Peter and the Waterfront Area Committee;
- (80) he considered there was a danger of the panel confusing two separate issues; firstly if there should be a provision for skateboarders in the city centre, if so what type of provision and who should provide it, and secondly, what should be done about the situation between skateboarders using the area in the city centre;
- (81) he did not accept that it was acceptable for skateboarders to be defended or excused from breaking the current skateboarding by-law simply because of the lack of a skateboarding facility in the city centre;
- (82) he considered the by-law should be enforced no matter how badly worded it was; he felt that the by-law existed for a reason;
- (83) appropriate channels could be made use of if people considered the by-law unfair or inappropriate, he felt it was therefore unreasonable to break the by-law simply because individuals did not agree with it;
- (84) he considered the city centre to be a place of business, leisure, tourism and employment and it was not acceptable for people to have to accept the abuse they receive from young people who skateboard in the area;
- (85) there was a problem of litter in the city centre where the skateboarders frequent;
- (86) skateboarding was occurring straight underneath signs that say it was prohibited;

In response to questions raised, Councillor Stevens informed the Panel that –

- (87) he considered the main problem with skateboarding to be between the civic centre and the Guild hall;
- (88) if a complete ban of skateboarding in the city centre was imposed other areas would need to be targeted such as the war memorial on the Hoe;
- (89) he could accept that skateboarding had wide enjoyment however he felt, regardless of the possible lack of provision of skateboarding facilities, that it was unacceptable to use civic land for skateboarding simply because the area outside the Civic Centre had the right sort of benches;
- (90) it would not be acceptable for people to kick a football around wherever they wanted if there was a lack of football pitches; this rule should apply to skateboarding;

Councillor Mrs Stephens, ward Councillor for St Peter and the Waterfront, informed the Panel that –

- (91) she had received complaints from local residents who felt worried and intimidated by the skateboarders;
- (92) she considered the skateboarders were not acting out of malice or intention to scare anyone;
- (93) the current situation was not desirable however she was loathe to see a complete ban without other arrangements in place for the provision of skateboarding elsewhere;

- (94) skateboarders should be provided with somewhere sensible and safe for them to skateboard, consultation should take place as to where this should be in order to ensure it suits the needs of the skateboarders;

In response to questions raised Councillor Mrs Stephens informed the Panel that –

- (95) she was certain that other councils would have faced similar problems with skateboarding and the task and finish group should look to them for guidance;
- (96) the skateboarders should be moved somewhere central so that it is easily accessible;
- (97) complaints received by her were sporadic;
- (98) she accepted that skateboarders caused fear to the elderly;
- (99) she felt that residents would appreciate it if the skateboarders were moved to the far end of the Hoe away from immediate neighbours;
- (100) she felt it was a good idea to set up the temporary skate park for a week over half term to see how successful it was; it would be an exercise in research;

Anthony Patten, Security from the University of Plymouth, informed the Panel that –

- (101) the university was private property however they encouraged public access by setting up walkways which also attracted some skateboarders;
- (102) any report of skateboarders on the University of Plymouth site was recorded;
- (103) from November 2008 to November 2009 there were 40 incidents of skateboarders recorded;
- (104) skateboarders tended to hang around in groups of approximately 6-8 people;
- (105) he did not perceive skateboarding to be a spectator sport;
- (106) to prevent further damage to property pegs had been added to seats to stop skateboarders grinding along them;
- (107) the University of Plymouth were keen to work alongside Plymouth City Council in enforcing skateboarding;
- (108) there had been no injuries caused by skateboarding as of yet;

In response to questions raised, Anthony Patten informed the Panel that –

- (109) the security staff at the university could only stop someone skateboarding if they thought they were a student;
- (110) the university lacked the manpower or the time to deal with the issue of skateboarding;
- (111) he had also witnessed problems with cyclists;

The Task and Finish Group, having considered all representations made felt that it was beneficial to make the following resolutions.

Resolved that –

1. a police spokesperson be invited to attend the next meeting as police participation was essential to the success of the by-law;
2. information be sought regarding the estimated cost of deterrent measures to city centre furniture and paving;
3. parking attendants should be asked for their input upon skateboarding

18. **EXEMPT BUSINESS**

There were no items of exempt business.

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Request for Scrutiny Work Programme Item

1	Title of Work Programme Item	Review of Plymouth Skateboarding Byelaw		
2	Responsible Director (s)	Nigel Pitt, Director of Development and Regeneration		
3	Responsible Officer Tel No.	Tom White, Head of Network Management Ext 4256		
4	Aim	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	Objectives	To consult with colleagues in the Police, ward members, Area Committees, other Council departments and other stakeholders and to investigate alternative options.		
	Benefits	The proposed 'Task and Finish Group' would enable a full debate between all interested parties before any conclusions are drawn.		
	Beneficiaries	Members of the public - Improved safety and potential new facilities Police - Ability to enforce byelaw		
6	Criteria for Choosing Topics	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	Scope	Three areas covered by the existing byelaw; City Centre, Broadway and Ridgeway		
	Exclusions	None		
8	Programme Dates	TBC		
	Timescales and Interdependices	Milestones	Target Date for Achievement	Responsible Officer
		TBC	TBC	TBC
9	Links to other projects or initiatives / plans	City Centre Area Action Plan West End Regeneration/Shared Space Corporate Plan (CIPs 1, 2 and 6)		
10	Relevant Overview and Scrutiny Panel	Sustainable Communities/Growth & Prosperity OSP		
11	Lead Officer for Panel	Daniel Sharpe, Partnership Compliance Officer		
12	Reporting arrangements	TBC, once timescales have been agreed		
13	Resources	Staff time only (quantify by dept)		
14	Budget implications	Resources within existing budgets		

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

Growth and Prosperity Overview and Scrutiny Panel
Skateboarding Review By-law Task and Finish Group

Opinions Received Upon Skateboarding in the City Centre.

From: Barbara Duffy
[<mailto:barbara.duffy@plymouthageconcern.org.uk>]
Sent: Wednesday, December 02, 2009 4:01 PM
To: review, skateboarding
Subject: Review of Skateboarding Bye-Law: FAO Tom White

Good afternoon Tom

I know this will be received after your first meeting of the Task and Finish Group but thought it may be useful in some way.

I circulated an e-mail asking for comments from staff and older people who use our services. The main issues that came to me were that some older people had experienced skateboarders coming towards them at speed and this was very worrying/frightening to them. This was especially true in respect of people with some degree of sensory loss. There was a general feeling that skateboarders did need somewhere 'fit for purpose' to undertake this activity (rather than in a busy city centre area) such as a purpose built skate park.

Kind regards

--

Barbara Duffy
Director
Plymouth Age Concern
Charity No. 281820

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