

Growth and Prosperity Overview and Scrutiny Panel (Reviews)

Thursday 4 February 2010

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.

1. DECLARATIONS OF INTEREST

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

2. CHAIR'S URGENT BUSINESS

There were no items of Chair's Urgent Business.

3. MINUTES

Resolved that the minutes of the meeting held on 3 December 2009 be approved as an accurate record.

4. REVIEW OF PLYMOUTH SKATEBOARDING BY-LAW

Inspector Russell Sharpe from Devon and Cornwall Police, Councillor Wiggins Portfolio Holder for Transport and the Head of Network Management attended the final Skateboarding By Law Task and Finish Group meeting in order to provide the Panel with their opinions upon the skateboarding by law, possible solutions to the problem caused by skateboarding and the cost of possible deterrent measures.

Inspector Russell Sharpe informed Members that –

- (i) the current skateboarding by law was very difficult to enforce as it referred to 'nuisance' which was hard to establish, if the by law was changed to a complete ban skateboarders would be criminalised;
- (ii) having spoken to young people who skated in the area, officers were informed that the skaters wanted a skate park nearby;
- (iii) in his opinion, skateboarders liked to be seen performing their tricks and stunts;
- (iv) the police would enforce a skateboarding by law however Members were of the opinion that it would be beneficial for an alternative skating venue to be sought;
- (v) the Crown Prosecution Service felt it was the responsibility of the Council to prosecute skateboarders breaking the skateboarding by law ; Plymouth City Council representatives considered it would cost between £70 and £100 for each prosecution;
- (vi) a mobile skate park may be more appropriate as city centre land was of high value;

- (vii) it was difficult for the police to enforce the skateboarding by law 24/7 as police resources would be focused towards higher priority crime;

Councillor Wiggins, Cabinet Member for Transport informed Members that –

- (viii) he was interested to hear evidence collected by the Task and Finish Group;
- (ix) he was unaware of anywhere in the city centre where a skate park could be incorporated;
- (x) he did not want to curtail a reasonable activity that was spoilt for the majority by a few individuals;
- (xi) he agreed that signage needed to be adapted to remind skateboarders of their actions

The Head of Network Management informed Members that –

- (xii) the estimated cost of deterrent measures to city centre furniture and paving were expensive as health and safety measures had to be carried out;
- (xiii) AMEY would be tasked to do the work if this was agreed.
- (xiv) it was important for shared space to be incorporated for any future designs to the city;

Having heard from the Police and the Portfolio Holder for Transport, and also having taken into account evidence from the first two panel meetings, Members agreed that it was very clear from all the evidence that skateboarding was not conducive to this area, because of the numbers of the public crossing the area to reach different destinations.

The Panel noted the fact that there had been a minimum number of formal complaints to the authority and the Police, but that there was a significant undercurrent of informal complaints about the activity not being suitable and causing anxiety to members of the public; this was confirmed by the results of the survey commissioned by the Panel.

The majority of the feedback from members of the public and witnesses supported the implementation of a total ban, but they went on to say that they would not support a total ban without a suitable alternative location being made available.

Feedback from the Police Service confirmed that a new by law, to totally ban the activity, would potentially involve a significant resource from both the Police and the Authority and it was unlikely therefore that it could be appropriately enforced and subsequently unlikely to have the desired effect. The legal framework for by laws was currently under review nationally, and may impact on local enforcement arrangements later this year.

The Panel noted further feedback from the Police and unanimously agreed that they would not like the young people to be criminalised due to their participation in a sport of their choice.

Resolved that Overview and Scrutiny Management Board be requested to approve the following recommendations–

- (1) The Panel recommends the retention of the current by law;

In the short term;

- (2) The Panel recommends that the legal department review the words on the external signage in the area to ensure that it appropriately informs people of the dangers of prosecution should they cause a nuisance, harm or damage in accordance with the current by law;

- (3) The Panel recommends that a suitable alternative site be sought for urban skateboarding;

In the longer term;

- (4) The Panel recommends that future design proposals for areas of the city centre consider communal use of space and to ensure that final designs take into account either the encouragement or deterrent of skateboarding activity.
- (5) The Panel recommends that a further review takes place once the new Central Park Skateboarding park and the indoor facility at Cattedown have had time to mature and when the future enforcement legislation is known; this review to be undertaken by the Lead Member for this neighbourhood under the Councils Localities Working arrangements.

5. **EXEMPT BUSINESS**

There were no items of exempt business.