

Bath & North East Somerset Council	
MEETING	Planning, Transport and Environment Policy Development and Scrutiny Panel
MEETING	3rd March 2015
TITLE:	Public Space Protection Order Consultation Update
WARD:	Abbey
AN OPEN PUBLIC ITEM	
List of attachments to this report:	
None	

1 THE ISSUE

This paper seeks to update the Panel on the progress made in relation to the public consultation into the proposed banning of amplification used by street entertainers in the Abbey Church Yard, Kingston Parade and Abbey Green.

2 THE REPORT

Context

Complaints relating to busking have been increasing on an annual basis. Since 2009, there have been over 279 complaints specifically attributed to street entertainers.

Buskers have historically worked with the Council and others such as the Business Improvement District (BID) to produce a Bath Buskers Guide. Despite this guide asking for reasonable amplification, complaints continue to be received, primarily due to over - amplification.

Historically, officers applied the Environmental Protection Act 1990, but this has proved largely ineffective as this legislation was not written to apply to buskers and the threshold for enforcement is too high. This has led to increasing frustration from residents and businesses that are affected by buskers.

The Anti-social Behaviour, Crime and Policing Act 2014

The Anti-social Behaviour, Crime and Policing Act 2014 provides enforcement officers with alternative and additional powers to tackle and resolve Antisocial Behaviour.

A Public Space Protection Order (PSPO) is proposed, to prohibit the use of amplification by buskers, in specific areas of Bath City Centre (Abbey Church Yard, Kingston Parade and Abbey Green). It should be noted that unamplified busking will not be restricted in any way by the proposals.

Following discussion with informal Cabinet, a Single Member Decision by Cllr David Dixon approved the commencement of a 12 week public consultation. The consultation period commenced 5th January 2015.

The consultation seeks to achieve:

- A proportionate and transparent approach to policy making, as defined in Cabinet Office Guidance;
- To offer a range of ways to comment on the proposals so all who are interested have an opportunity to comment

Responses to date

Since the commencement of the consultation, there have been 1189 responses (1172-online & 17- post), as of 11/02/2015.

To avoid any suggestion of bias or predetermination, it is not appropriate to provide significant detail at this stage however the responses range from:

- The authority should not ban amplification anywhere to those requesting a complete ban on all amplification and those in agreement that Buskers add vibrancy to the city.

Consultation Event

A consultation event has been planned for February and key stakeholders have been invited including Councillors, Resident Associations, Trade Associations, Buskers and Officers. There will be presentations from Officers, Buskers, the Abbey and BID and the Antisocial Behaviour Coordinator for the Police.

After the consultation period has closed, all views will be considered, the responses will be collated, analysed, and a report produced. The Cabinet member for Neighbourhoods will make a recommendation in relation to the actions, if any that may be taken

In the meantime, Environmental Protection Officers will continue to investigate busker's noise complaints.

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Background papers	Nil
Please contact the report author if you need to access this report in an alternative format	