

## RECORD OF EXECUTIVE DECISION TAKEN BY AN EXECUTIVE MEMBER

This form **MUST** be used to record any decision taken by the Elected Mayor or an individual Executive Member (Portfolio Holder).

The form must be completed and passed to the Chief Officer responsible for Legal and Democratic Services no later than NOON on the second working day after the day on which the decision is taken. No action may be taken to implement the decision(s) recorded on this form until 7 working days have passed and the Chief Officer responsible for Legal and Democratic Services has confirmed the decision has not been called in.

**1. Description of decision**

- (1) That a new Public Spaces Protection Order (PSPO) for Bedford Town Centre be approved, to restrict persons from:**
  - (a) Consuming alcohol in a public space**
  - (b) Begging**
  - (c) Using illegal drugs or psychoactive substances**
  - (d) Dangerous or aggressive cycling, including battery assisted cycle (e-cycle/e-bike)**
  - (e) Riding an e-scooter or skateboard**
  - (f) Spitting**
  - (g) Urinating and defecating**
  - (h) Accessing stairwells and rooftops of town centre car parks**
  - (i) Littering in enclosed public spaces**
- (2) That the existing Town Centre PSPO for the consumption of alcohol and anti-social behaviour, dated 16 December 2023, be discharged with effect from the same date of commencement of the new PSPO for Bedford Town Centre.**
- (3) That both authorised Police Officers and Local Authority Officers be allowed to enforce the restrictions using a fixed penalty notice regime.**
- (4) That the new PSPO be implemented as soon as reasonably practicable and reviewed within three years from the implementation date, or earlier as appropriate, in line with the legislation.**
- (5) That a future review should be undertaken of the current patterns of anti-social behaviour specifically in the Borough's parks and open spaces and consider the need for any additional Public Spaces Protection Order(s) to address issues identified from the review.**
- (6) That the Deputy Chief Executive & Executive Director for Environment, following consultation with the relevant Portfolio Holder, be authorised to review the PSPO, its implementation, development and scope during the period covered by the Order, with any proposed variations/discharge to be approved by the Executive.**

**2. Date of decision**

30 July 2025

### **3. Reasons for decision**

A review has been carried out of existing PSPO's to consider whether the restrictions contained within them and the geographical areas they cover are appropriate and address the issues of anti-social behaviour concerns relevant to the Borough. The proposal to discharge the existing PSPO's relating to alcohol consumption within the Town Centre enables Executive, if they are minded to, to introduce a new PSPO which prohibits a range of behaviours as detailed in recommendation (1) above.

The proposed PSPO will enable the Council to fulfil its statutory obligations under the Anti-Social Behaviour, Crime & Policing Act 2014 and respond in a positive manner to address the anti-social behaviour of individuals in public areas of the Borough, as specified in the Order at Appendix A, to prevent the occurrence of anti-social behaviour in a public place.

The Anti-Social Behaviour and Policing Act 2014 ("the Act") came into force on 20 October 2014. The Act introduced several tools and powers for use by councils and their partners to address anti-social behaviour (ASB) in their local areas. These tools, which replaced and streamlined a number of previous measures, were brought in as part of a government commitment to put victims at the centre of approaches to tackling ASB, focussing on the impact behaviour can have on both communities and individuals, particularly on the most vulnerable. The Act replaced most of the powers available to the police and local authorities to deal with anti-social behaviour which included the new measures of Public Spaces Protection Orders.

PSPOs are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. PSPOs can be made by the Council if they are satisfied on reasonable grounds that the activities or behaviours concerned, carried out, or likely to be carried out, in a public space:

- has had, or is likely to have, a detrimental effect on the quality of life of those in the locality
- is, or is likely to be, persistent or continuing in nature
- is, or is likely to be, unreasonable
- justifies the restrictions

A range of information has been assessed and those behaviours which are deemed to meet the legal threshold have been consulted on for inclusion included in the PSPO for Bedford Town Centre.

The restriction as set out in the proposed order are considered to be justified taking into account the impact of the behaviours proposed to be restricted upon the quality of life of those people in the areas to which the order will apply.

### **4. Alternatives considered and rejected**

To not approve the proposed new PSPO for Bedford Town Centre – this would result in the current Town Centre PSPO remaining in place until expiry in December 2026. This alternative was considered, however reports of anti-social behaviour that are regularly reported and are of concern to local residents, businesses and stakeholder are not prohibited by the existing PSPO. As such, the proposed new PSPO for Bedford Town Centre, if accepted, will provide the Council and Police with an enforcement tool to address a range of other issues of concern with a view to improving quality of life in the area.

### **5. How decision is to be funded**

Any financial implications of the recommendation for a new PSPO for a three-year period will be funded from within existing resources as part of the Regulation, Housing & Customer Contact Service Group.

**6. Conflicts of interest**

Name of all Executive members who were consulted AND declared a conflict of interest.	Nature of interest	Did Standards Committee give a dispensation for that conflict of interest? (If yes, give details and date of dispensation)	Did the Chief Executive give a dispensation for that conflict of interest? (If yes, give details and the date of the dispensation).

The Mayor has been consulted on this decision

Not Applicable

Signed  .....

Date: **30 July 2025**

Name of Decision Taker: **Mayor Tom Wootton**

**This is a public document. A copy of it must be given to the Chief Officer responsible for Legal and Democratic Services as soon as it is completed.**

Date decision published: .....30July2025.....

Date decision can be implemented if not called in: .....8 August2025.....

(Decision to be made exempt from call in – NO)

**Bedford Borough Council – Report to Mayor of Bedford**

**Date of Report: 30 July 2025**

**Report by: Service Director Regulation, Housing & Customer Contact**

**Subject: BEDFORD TOWN CENTRE PUBLIC SPACES PROTECTION ORDER**

**1. EXECUTIVE SUMMARY**

- 1.1 This report provides a summary of the proposal to seek approval for a new Public Spaces Protection Order (PSPO) in Bedford Town Centre to address specific types of anti-social behaviour in the designated areas for a period of three years (Appendix A). The proposal seeks to address behaviours that have had, or are likely to have, a detrimental effect on the quality of life of those in the locality and are of a persistent, unreasonable and continuing nature.
- 1.2 This report provides the outcome of the public and stakeholder consultations which have taken place during 2025 with regard to the development, drafting and finalising of the proposed new PSPO. It summarises the principal responses to the consultation exercise and how these responses and comments have been incorporated into the PSPO.

**2. RECOMMENDATIONS**

- 2.1 The Mayor is asked to consider and, if satisfied, to:
- a) Approve a new Public Spaces Protection Order (PSPO) for Bedford Town Centre to restrict persons from:
    - a. Consuming alcohol in a public space
    - b. Begging
    - c. Using illegal drugs or psychoactive substances

- d. Dangerous or aggressive cycling, including battery assisted cycle (e-cycle/e-bike)
  - e. Riding an e-scooter or skateboard
  - f. Spitting
  - g. Urinating and defecating
  - h. Accessing stairwells and rooftops of town centre car parks
  - i. Littering in enclosed public spaces
- b) Discharge the existing Town Centre Public Spaces Protection Order for the consumption of alcohol and anti-social behaviour, dated 16 December 2023, with effect from the same date of commencement of the new Public Spaces Protection Order (PSPO) for Bedford Town Centre.
  - c) Allow both authorised Police Officers and Local Authority Officers to enforce the restrictions using a fixed penalty notice regime.
  - d) Agree that the new PSPO be implemented as soon as reasonably practicable and reviewed within three years from the implementation date, or earlier as appropriate, in line with the legislation.
  - e) Agree that a future review should be undertaken of the current patterns of anti-social behaviour specifically in the Borough's parks and open spaces and consider the need for any additional Public Spaces Protection Order(s) to address issues identified from the review.
  - f) Agree that the Deputy Chief Executive & Executive Director for Environment, following consultation with the relevant Portfolio Holder, be authorised to review the Public Spaces Protection Order, its implementation, development and scope during the period covered by the Order, with any proposed variations/discharge to be approved by the Executive.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 A review has been carried out of existing PSPO's to consider whether the restrictions contained within them and the geographical areas they cover are appropriate and address the issues of anti-social behaviour concerns relevant to the Borough. The proposal to discharge the existing PSPO's relating to alcohol consumption within the Town Centre enables Executive, if they are minded to, to introduce a new PSPO which prohibits a range of behaviours as detailed in recommendation 2.1 (a) above.

- 3.2 The proposed PSPO will enable the Council to fulfil its statutory obligations under the Anti-Social Behaviour, Crime & Policing Act 2014 and respond in a positive manner to address the anti-social behaviour of individuals in public areas of the Borough, as specified in the Order at Appendix A, to prevent the occurrence of anti-social behaviour in a public place.
- 3.3 The Anti-Social Behaviour and Policing Act 2014 (“the Act”) came into force on 20 October 2014. The Act introduced several tools and powers for use by councils and their partners to address anti-social behaviour (ASB) in their local areas. These tools, which replaced and streamlined a number of previous measures, were brought in as part of a government commitment to put victims at the centre of approaches to tackling ASB, focussing on the impact behaviour can have on both communities and individuals, particularly on the most vulnerable. The Act replaced most of the powers available to the police and local authorities to deal with anti-social behaviour which included the new measures of Public Spaces Protection Orders.
- 3.4 PSPOs are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. PSPOs can be made by the Council if they are satisfied on reasonable grounds that the activities or behaviours concerned, carried out, or likely to be carried out, in a public space:
- has had, or is likely to have, a detrimental effect on the quality of life of those in the locality.
  - is, or is likely to be, persistent or continuing in nature.
  - is, or is likely to be, unreasonable.
  - justifies the restrictions
- 3.5 A range of information has been assessed and those behaviours which are deemed to meet the legal threshold have been consulted on for inclusion included in the PSPO for Bedford Town Centre.
- 3.6 The restriction as set out in the proposed order are considered to be justified taking into account the impact of the behaviours proposed to be restricted upon the quality of life of those people in the areas to which the order will apply.

## 4. THE CURRENT POSITION

### DETAILS

- 4.1 The Council has previously approved the introduction of three PSPOs that restrict specific behaviours in designated areas across the borough. However, there is a complexity in terms of their management caused by the fact that they are neither coterminous in terms of their geographical boundaries nor their duration. An exercise was undertaken to review the existing PSPOs, to bring clarity to the PSPOs in place across the borough and to ensure that the behaviours they prohibit reflect the issues and concerns relevant to the areas they cover and have a detrimental effect on the quality of life of those in the locality.
- 4.2 The Community Safety Partnership recognises that wider work is required to complement the additional powers that a PSPO offers. This sits within the CSP Strategic Plan 2023-27 under the priority to *Develop Safer Neighbourhoods* and requires the continued support of all agencies.
- 4.3 In determining the behaviours to be considered as part of the new Order, partnership data was reviewed to identify those behaviours that are regularly impacting on the quality of life of people in the town centre and the feedback from public and stakeholder consultation was considered.
- 4.4 Consultation with stakeholders identified that an additional car park should be included in relation to the prohibited behaviour of accessing stairwells and rooftops across all of the town centre car parks, these include Allhallows, Lurke Street, River Street and Queen Street car parks (see map 2 of Appendix A).
- 4.5 During the consultation, a number of respondents made comments about the negative impacts of persons using drugs in the town centre. Similar concerns were raised by professionals that regularly operate in the area suggesting that there is a pattern of anti-social behaviour associated with drug misuse. A prohibition regarding drug use has therefore been included in the Order. The inclusion of drug misuse in the proposed order is not intended to in anyway negate or supersede the powers available under criminal law.
- 4.6 Police recorded **anti-social behaviour (ASB) data** has been reviewed as part of the PSPO reviewing process:
  - In the period between April 2023 and March 2025 there were 5,869 incidents recorded by Bedfordshire Police, of which 1,108 were recorded within the designated area of the proposed PSPO – this represents 18.9% of all ASB in the Borough.

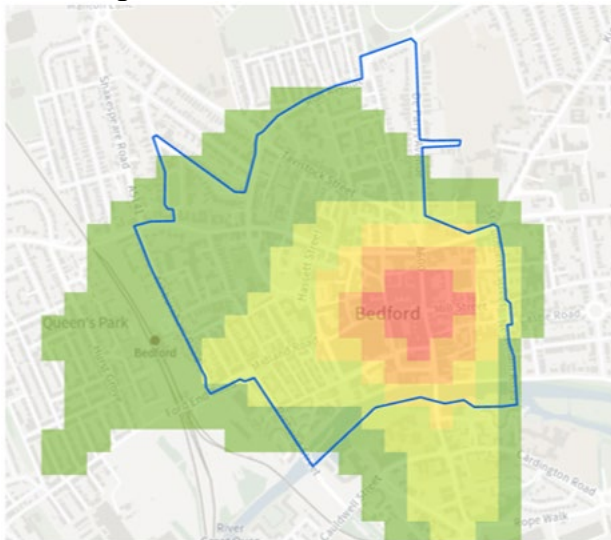
- In the same period there were 221 incidents of ASB linked with alcohol use of which 53.4% (118) were within the proposed designated area.

4.7 Police recorded **crime data** has also been reviewed as part of the PSPO reviewing process.

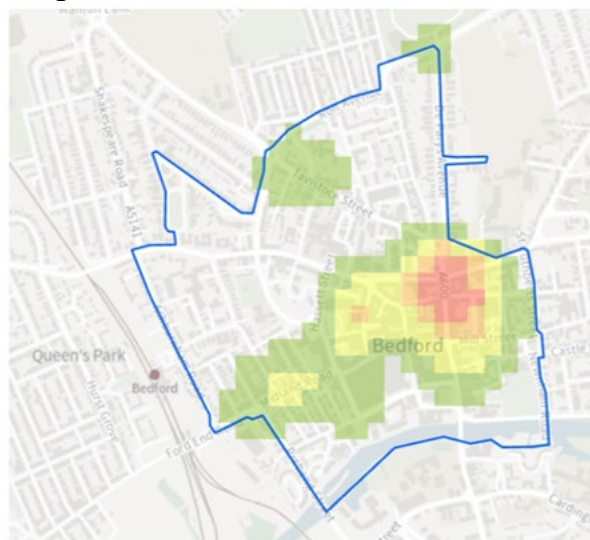
- In the period between April 2023 and March 2025 there were 1,031 drugs offences recorded by Bedfordshire Police, of which 333 were recorded within the designated area of the new PSPO – this represents 32.3% of offences in the Borough.

4.8 When spatially plotted significant hotspots of ASB (Fig 1), alcohol related ASB (Fig 2) and drug offences (Fig 3) within the designated area of the proposed PSPO (blue outlined area) can be clearly identified.

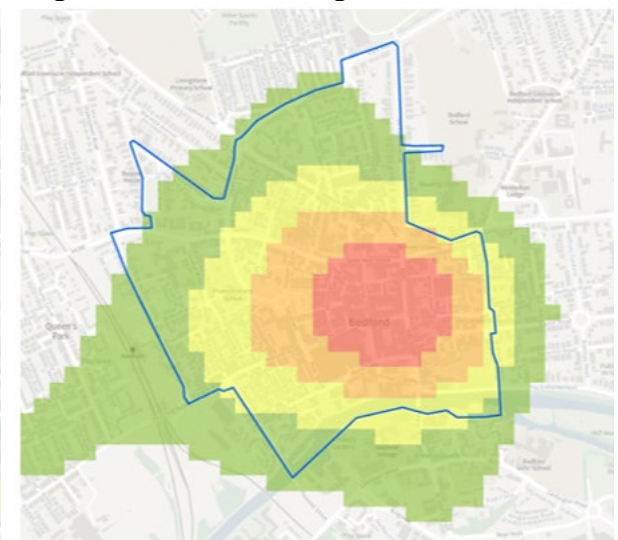
**Fig 1. Police Data - ASB 2023-25**



**Fig 2. Police Data - Alcohol ASB 2023-25**



**Fig 3. Police Data - Drug Offences 2023-25**



4.9 Bedford Borough CCTV control room regularly identifies issues in the town centre that are linked to anti-social behaviour, with the weekly summary report from the service providing a good indication of the volume and nature of issues in the proposed area. A three-month period of weekly CCTV reports was reviewed as part of the PSPO reviewing process.



4.10 In the period between the 27 May 2024 and the 1 September 2024, CCTV control room recorded 459 incidents within the proposed boundary for the PSPO, incident types relevant for the proposed PSPO include:

- 48 incidents were alcohol related – ASB behaviours were believed to be related to the consumption of alcohol
- 40 incidents were drug relate – behaviours were linked to drug use or suspicious activity believed to be dealing
- 11 reports were issues to linked to begging in the area
- 26 reports related to enclosed public spaces in the town – the bus station and town centre car parks

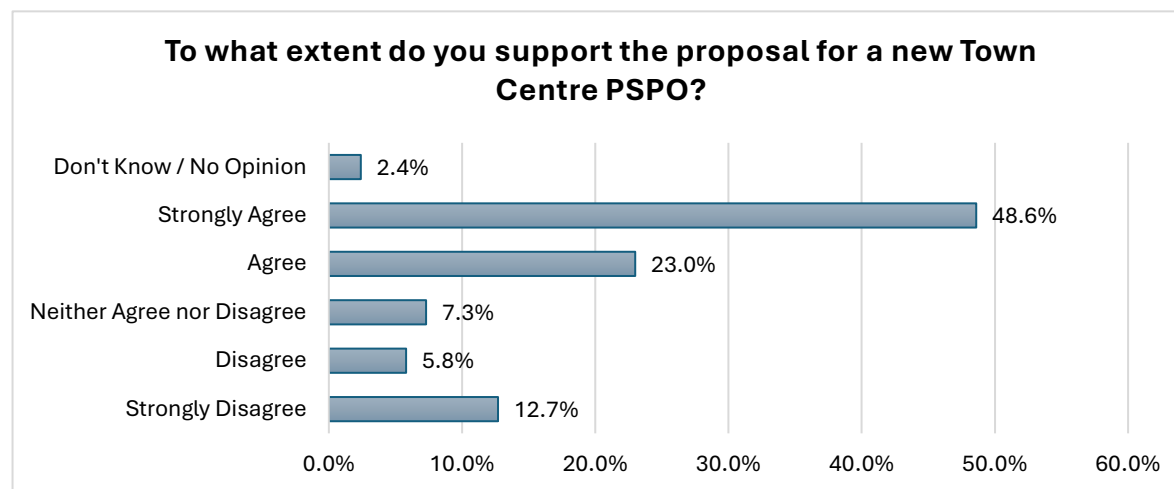
4.11 The remainder of CCTV control room incident types relate to more generalised overt surveillance along with specific incident types covering search/pursue/wanted persons, suspicious acts/crime in progress, road traffic collisions, concern for welfare/vulnerable missing persons etc.

4.12 It is a requirement of the Anti-Social Behaviour, Crime and Policing Act 2014 that consultation is carried out before designating a new PSPO. An online survey was conducted from 17 March to 27 April 2025, with paper copies made available at the Bedford Central Library, Customer Contact Centre and Borough Hall. The consultation was publicised on the Council's web pages and promoted through social media and posters in key areas of the Town Centre. Staff from the Community Safety Team attended a business networking event and conducted face to face engagements in the town centre during that time period.

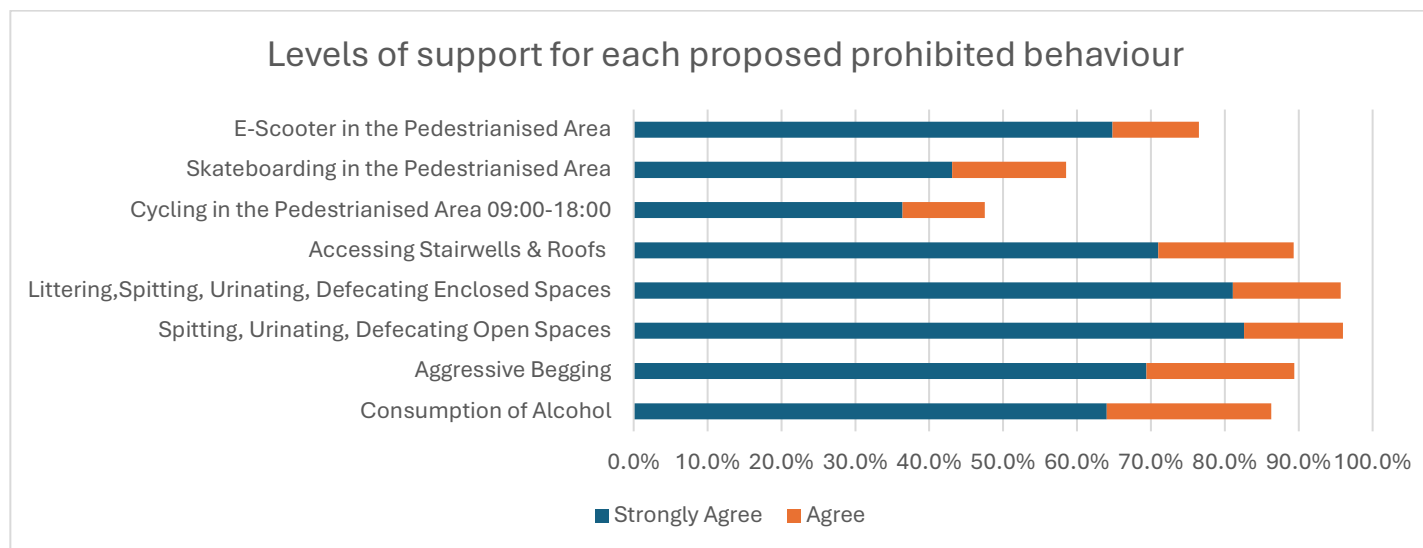
4.13 Overall a total of 656 people completed the survey, with the majority of respondents supporting the proposal and the individual restrictions:

- **71.6% of respondents** stated that they **'Strongly Agree' or 'Agree'** with the proposal to introduce a new PSPO in Bedford Town Centre.

4.14 Whilst there was overall support for the proposal for a Town Centre PSPO, there was some variation with support for the proposed behaviours included in the PSPO restrictions.



- 4.15 In relation to the cycling prohibition, when asked to what extent respondents supported the prohibition of cycling in the pedestrianised area of the town centre between 09:00 and 18:00, there were 47.6% (312) of respondents who stated they strongly agreed or agreed, whilst 44.7% (293) stated that they strongly disagreed or disagreed.
- 4.16 A significant number of respondents (111) suggested that cycling as an activity should not be banned. Feedback was received relating to the equality impact of such a prohibition with respondents commenting that restricting all cycling in the pedestrianised area could have a negative impact on protected groups for age and disability.
- 4.17 Given the variable public support and the feedback received in relation to cycling in the town centre, the proposed restriction regarding cycling has, therefore, been revised with the proposal to prohibit **aggressive or dangerous cycling**. This aims to address only those persons that cycle in a manner that is likely to cause harm or distress to others.



- 4.18 **Appendix B** contains detailed information about the public consultation responses and summaries of the open text questions.
- 4.19 In addition, Ward Councillors, Community Safety Partnership members, the Office of the Police and Crime Commissioner and the Chief Constable were consulted on the proposed PSPO in Bedford Town Centre.

- 4.20 Appendix C contains all stakeholder responses, including those from Councillors and Ward Councillors. In addition, the responses from the Office of the Police and Crime Commissioner (OPCC) and Chief Constable of Bedfordshire Police are provided below:

Consultation response from John Tizzard, Police and Crime Commissioner

*As police and crime commissioner, I welcome the introduction of strong PSPO measures for Bedford Town Centre. There are some significant problems in this area of the Borough. These include anti-social behaviour, aggressive begging, the misuse of drugs and alcohol, and more, which require action by both the police and the council.*

*The PSPO will make a positive impact. It can strengthen the shared commitment of Bedfordshire Police and the Borough Council to make the town centre safer, and feel safer for businesses, shoppers, and other visitors.*

*However, without enforcement by the Council the potential contribution of the PSPO will be limited. Given the Order, much of the enforcement will need to be led by the Council and not the Police. The latter will support the Council's team and act where appropriate. Therefore, it is encouraging to know that the Council has a new enforcement contract in place and that the enforcement team will be authorised to work alongside the Police.*

*This PSPO complements the Summer Town Centre Plan being enacted by the Police in partnership with the council. We share an ambition to continue the approach, which underpins this plan, beyond September 2025. The PSPO will have a significant role to play in the long-term policing and safety of the town centre.*

*Hopefully the PSPO will encourage businesses to invest in the town centre and consequently contribute the economic and cultural renaissance of the town centre and wider Borough.*

*I would urge the Council to adopt the PSPO as soon as possible.*

Consultation response from Trevor Rodenhurst, Chief Constable Bedfordshire Police

*I fully support the Bedford Borough Council's steps to introduce a PSPO for the town centre. The police and Bedford Borough Council need to work in partnership to tackle matters of crime, public safety, and ASB. I support the council's efforts to put additional measures and resources in place to tackle some aspects of ASB.*

*A joint approach is required to tackle the broad range of challenges facing the town and I therefore welcome the provision of this additional tool.*

4.21 The proposed Public Spaces Protection Order (PSPO) for Bedford Town Centre is to restrict persons from:

(a) Consuming alcohol in a public space

- i. All persons are prohibited from, at any time, consuming alcohol or having an open alcohol container, in the restricted area identified in Map 1 of this Order unless they are on premises subject to an exemption in this Order.

(b) Begging

- i. All persons are prohibited at any time from approaching another person, who is not a member of their family or their friend either verbally or by conduct to ask for money or other objects or items from that other person in the restricted area identified in Map 1 of this Order.
- ii. All persons are prohibited at any time from sitting, standing or loitering or being in possession of a receptacle used to obtain monies, for the purpose of asking for money or other objects or items in the restricted area identified in Map 1 of this Order. This includes the use of signage, children or animals.
- iii. Paragraphs (i) and (ii) above do not apply to any person who is acting under the authority of a permit granted under the Police, Factories Etc. (Miscellaneous Provisions) Act 1916 or other enactment authorising street collections.

(c) Use of illegal drugs or psychoactive substances

- i. All person(s) are prohibited from selling, buying, using or preparing to use or using illegal drugs or illegal psychoactive substances.
- ii. Paragraph (i) above does not apply to a person in possession of a psychoactive substance who may have a lawful reason for such possession.

(d) Dangerous or aggressive cycling, including battery assisted cycle (e-cycle/e-bike)

- i. All persons are prohibited from, at any time, including riding on a battery assisted cycle, in a manner which would cause any person in the locality to have reasonable concerns for their safety or the safety of other people, including the cyclist, with in the restricted area identified in Map 3 of this Order.

(e) Riding an e-scooter or skateboard

- i. All persons are prohibited from, at any time riding an e-scooter or skateboard in the restricted area identified in Map 3 of this Order.

- (f) Spitting
  - i. All persons are prohibited from, at any time, spitting on to the ground, any bench, chair or other piece of street furniture or any other surface or item in the restricted area identified in Map 1 of this Order.
- (g) Urinating and Defecating
  - i. All persons are prohibited from, at any time, urinating or defecating in any part of the restricted area identified in Map 1 of this Order other than into a toilet to which the public are allowed access.
- (h) Accessing stairwells and rooftops of town centre car parks
  - i. All persons are prohibited from, at any time entering the restricted area identified in Map 2 namely Allhallows Car Park, Lurke Street Car Park, River Street Car Park and Queen Street Car Park for purposes which are not connected to the parking of a vehicle or bicycle therein or the lawful access to a vehicle or bicycle parked therein.
  - ii. This prohibition in (i) above does not apply to any person entering the Restricted Area who is authorised to carry out surveys, repairs or works to the building, equipment or utilities within the Restricted Area.
  - i. This prohibition in (i) above does not apply to any person who is a member of the emergency services or who is an Authorised Officer and enters the Restricted Area in that capacity.
- (i) Littering in enclosed public spaces
  - i. All persons are prohibited from, at any time to throw down, drop or otherwise deposit any litter in the restricted area identified in Map 2 namely Allhallows car park, Lurke Street car park, River Street car park, Queen Street car park and Bedford Bus Station.

## **5. ALTERNATIVES CONSIDERED AND REJECTED**

- 5.1 To not approve the proposed new PSPO for Bedford Town Centre – this would result in the current Town Centre PSPO remaining in place until expiry in December 2026. This alternative was considered, however reports of anti-social behaviour that are regularly reported and are of concern to local residents, businesses and stakeholder are not prohibited by the existing PSPO. As such the proposed new PSPO for Bedford Town Centre, if accepted, will provide the Council and Police with an enforcement tool to address a range of other issues of concern with a view to improving quality of life in the area.

## **6. KEY IMPLICATIONS**

### **Legal Issues**

- 6.1 The Anti-Social Behaviour Crime & Policing Act 2014 and associated guidance sets out a series of requirements for introducing PSPO's. As noted in the report, the process of creating a new PSPOs requires a programme of consultation to be carried out as detailed below. The Council is now required to consider the proposals.
- 6.2 The relevant legal test for the creation of a PSPO is set out within section 59 of the Act. The Council must be satisfied, on reasonable grounds, that two conditions are met, the first condition is that –
- Activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
  - It is likely that activities will be carried on in a public place within that area and that they will have such an effect.
- 6.3 The second condition is that the effect, or likely effect, of the activities:
- is, or is likely to be, of a persistent or continuing nature;
  - is, or is likely to be, such as to make the activities unreasonable; and
  - justifies the restrictions imposed.
- 6.4 Any interested person can challenge the creation of a PSPO by bringing a claim in the High Court within 6 weeks of the Order being made, such a challenge can argue either that the Council did not have the power to make the Order or that a requirement of the process was not complied with. This ability to challenge under Section 66 of the Anti-Social Behaviour Crime and Policing Act 2014 is in addition to the usual ability to challenge by way of judicial review within 3 months of making the decision on any of the normal public law grounds.

### **Policy Issues**

- 6.5 The Bedford Borough Corporate Plan 2024/5 to 2027/28 focuses on four strategic priorities of:
- Supporting Individuals and Families
  - Protecting the Environment
  - Stimulating Economic Growth in Bedford Borough
  - Promoting Health and Wellbeing

- 6.6 The PSPO is relevant to all priorities, but particularly ‘Protecting the Environment’ to deliver cleaner, greener and safer places and ‘Stimulating Economic Growth in Bedford Borough’ to create a town centre that all persons are proud to live in and excited to visit.

### **Resource Issues**

- 6.7 Any financial implications of the recommendation for a new PSPO for a three-year period will be funded from within existing resources as part of the Regulation, Housing & Customer Contact Service Group.

### **Risks**

- 6.8 There is a risk that some of the restricted activities may be displaced to areas outside the PSPO area. If the order is approved the Council, in conjunction with partners, will continue to monitor anti-social behaviour in the immediate vicinity of the PSPO area and if considered justified may consider variation to the order as appropriate.
- 6.9 Begging is often associated with individuals requiring money due to alcohol or drug dependency. If people are unable to acquire money through begging, there is a risk that they may turn to other means to secure money including criminal activity. However, the ability to readily acquire money through begging can help to perpetuate dependencies. The risk will be mitigated through ongoing work with partners to signpost and assist people to services that can offer support to break the cycle of dependency.
- 6.10 The Council could receive a legal challenge to the introduction of this PSPO as detailed at 6.4 above.

### **Environmental Implications**

- 6.11 There are no negative environmental impacts associated with recommendations in this report. Actions to reduce issues such as street drinking, littering, drug use, urinating, defecating and spitting will have a positive impact on the environment within the Town Centre.

### **Equalities Impact**

- 6.12 In preparing this report, due consideration has been given to the Borough Council’s statutory Equality Duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of the Equality Act 2010. The purpose of the PSPO is to improve the quality of life for all who live, work, study in and visit the Town Centre by reducing anti-social behaviour and does not disproportionately affect any part of the community. Please see separate Equalities Impact Assessments as detailed in Appendix D.

- 6.13 A question in relation to equality was included in the public consultation exercise, asking respondents to identify any protected groups that might be adversely affected by the proposals. A number of respondents suggested that the proposal to restrict cycling in the town centre would negatively impact on the protected characteristics of age and disability. These comments were reviewed alongside other comments in the consultation and as a result the proposal to prohibit all cycling in the designated area was amended to prohibit only aggressive/dangerous cycling, which aims to address only those persons that cycle in a manner that is likely to cause harm or distress to others.
- 6.14 The implementation of this PSPO for the Town Centre will have positive implications for victims and residents across the protected characteristics. There are potential negative impacts on people who are in poverty, in particular, those who are begging as a means to generate income. Begging is a complex social issue and the PSPO forms only one small part of the response to tackling it. However, as stated in the Risks section above by prohibiting aggressive/persistent begging, those in real poverty may be more inclined to utilise support.

In addition to this, other initiatives such as an education and awareness campaign and closer working with outreach services is planned to coincide with the commencement of the PSPO. It is important to recognise that whilst some people engaged in begging may be homeless and rough sleeping this activity is also carried out by people with accommodation available to them. The restriction relates to the activity of begging and is not a restriction on the rights of people that are homeless and rough sleeping.

### **Impact on Families**

- 6.15 Taking measures to reduce anti-social behaviour associated with street drinking will contribute to ensuring that children, young people and families are able to enjoy public spaces and the benefits that brings in terms of wellbeing and reducing isolation.

### **Community Safety and Resilience**

- 6.16 The proposed PSPO looks to address a key area of concern that has been identified in both the current and previous Community Safety Partnership strategic plans. Recognising the negative impacts of antisocial behaviour on both quality of life of those that live, work and visit Bedford Town Centre, and the perception of safety in public spaces. A PSPO contributes to the Bedford Borough Community Safety Partnership priorities regarding anti-social behaviour in the town centre and the fear of crime, as well as its aims of tackling anti-social behaviour and increasing public confidence in the delivery of community safety.



## **Impact on Health and Wellbeing**

- 6.17 The PSPO will prohibit certain activities, which through the consultation we know are currently having a negative impact on the health and well-being of those that live/work and visit the Town Centre. In addition to the PSPO, supportive work is being carried out through initiatives such as the Complex Drinker Panel referral process to assist with improving the lives and well-being of those engaging in alcohol misuse. Officers authorised to utilise the additional powers within the PSPO would also be expected to provide signposting and advice to support services and complete safeguarding referral for any persons that may require additional support to address their negative behaviours.

## **7. SUMMARY OF CONSULTATIONS AND OUTCOME**

The following Councillors, Council units, Officers and/or other organisations have been consulted in preparing this report:

- Portfolio Holder for Housing & Regulatory Services
- Craig Austin, Deputy Chief Executive & Executive Director for Environment
- Lee Phanco, Interim Monitoring Officer/Legal Services
- Georgina Luther, Finance Business Partner - Environment & Strategic
- Bedfordshire Police
- Bedfordshire Police and Crime Commissioners Office
- Public & Stakeholder Consultation as detailed in the body of the report

## **8. WARD COUNCILLOR VIEWS**

- 8.1 A briefing note and informal consultation session was provided to all elected members in March 2025 to coincide with the launch of the public consultation.
- 8.2 The Ward Councillors for the following wards within the designated boundary of the new PSPO were also contacted as part of the stakeholder consultation, please see responses at Appendix C.
- Greyfriars Ward
  - Castle & Newnham Ward
  - Harpur Ward
  - De Parys Ward

## 9. **CONTACTS AND REFERENCES**

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<i>Declarations of Interest by the Report Author:</i>	N/A
<i>File Reference:</i>	PSPO_Bedford_Town_Centre_Exec_2025_SDRH&CC
<i>Previous Relevant Minutes:</i>	<p>Executive Committee 2 March 2022, Agenda item 8 - Review of Public Spaces Protection Orders (PSPO)</p> <p>Executive Committee 22 November 2023, Agenda item 7 - Extension of the Town Centre PSPO</p>
<i>Background Papers:</i>	<a href="https://assets.publishing.service.gov.uk/media/6422a19b60a35e00120cae63/2023_Update_ASB_Statutory_Guidance_-_FINAL_1_.pdf">https://assets.publishing.service.gov.uk/media/6422a19b60a35e00120cae63/2023_Update_ASB_Statutory_Guidance_-_FINAL_1_.pdf</a>
<i>Appendices:</i>	<p>Appendix A – Draft Public Spaces Protection Order</p> <p>Appendix B – Evaluation of Public Consultation report</p> <p>Appendix C – Stakeholder Consultation responses</p> <p>Appendix D – Equality Impact Assessment</p>

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

**SECTION 59  
PUBLIC SPACES PROTECTION ORDER**

**BEDFORD BOROUGH COUNCIL  
Bedford Town Centre Public Spaces Protection Order 2025**

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Bedford Borough Council ('the Council') makes this Order, being satisfied on reasonable grounds that the following activities:

- Consuming alcohol in a public space
- Begging
- Using illegal drugs or psychoactive substances
- Riding a cycle or battery assisted cycle (e-cycle/e-bike) in an aggressive or dangerous manner
- Riding an e-scooter or skateboard
- Spitting, urinating and/or defecating in public spaces
- Littering in enclosed public spaces
- Accessing stairwells or rooftops in public car parks and behaving or intending to behave in an anti-social manner

have had or are likely to have a detrimental effect on the quality of life of those in the locality described in paragraph 3 of this Order and referred to as 'the restricted area', or it is likely that such activities will be carried out within that area and have such an effect.

The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, and these activities are unreasonable and justify the restrictions imposed by this Order for the purpose of reducing anti-social behaviour in a public place.

The Council hereby requires by way of this Order that:

**1. Conditions in the Order which are prohibitions**

The activities described below are hereby prohibited as from the date of this Order:

- (a) Alcohol consumption  
All persons are prohibited from, at any time, consuming alcohol or having an open alcohol container, in the restricted area identified in Map 1 of this Order unless they are on premises subject to an exemption as detailed in Schedule1 to this Order.
- (b) Begging  
Within the area identified in Map 1 of this Order all persons are prohibited at any time from:
- i. Approaching another person, who is not a member of their family or their friend either verbally or by conduct to ask for money or other objects or items from that other person.
  - ii. Sitting, standing or loitering or being in possession of a receptacle used to obtain monies, for the purpose of asking for money or other objects or items. This includes the use of signage, children or animals.

- iii. Verbally or by conduct asking for money or other objects or items from other persons in a manner that impedes people from going about their lawful business or causes them to feel intimidated when going about that business (this includes obstructing people, sitting or standing in shop doorways, by ATMs and by parking or other payment machines).
  - iv. Paragraphs (i), (ii) and (iii) above do not apply to any person who is acting under the authority of a permit granted under the Police, Factories Etc. (Miscellaneous Provisions) Act 1916 or other enactment authorising street collections.
- (c) Use of illegal drugs or psychoactive substances
- i. All person(s) are prohibited from selling, buying, using or preparing to use or using illegal drugs or illegal psychoactive substances.
  - ii. Paragraph (i) above does not apply to a person in possession of a psychoactive substance who may have a lawful reason for such possession.
- (d) Dangerous or aggressive cycling, including battery assisted cycle (e-cycle/e-bike)  
All persons are prohibited from, at any time, including riding on a battery assisted cycle, in a manner which would cause any person in the locality to have reasonable concerns for their safety or the safety of other people, including the cyclist, with in the restricted area identified in Map 3 of this Order.
- (e) Riding an e-scooter or skateboard  
All persons are prohibited from, at any time riding an e-scooter or skateboard in the restricted area identified in Map 3 of this Order.
- (f) Spitting  
All persons are prohibited from, at any time, spitting on to the ground, any bench, chair or other piece of street furniture or any other surface or item in the restricted area identified in Map 1 of this Order.
- (g) Urinating and Defecating  
All persons are prohibited from, at any time, urinating or defecating in any part of the restricted area identified in Map 1 of this Order other than into a toilet to which the public are allowed access.
- (h) Accessing stairwells and rooftops of town centre car parks  
All persons are prohibited from, at any time entering the restricted area identified in Map 2 namely Allhallows Car Park, Lurke Street Car Park, River Street Car Park and Queen Street Car Park for purposes which are not connected to the parking of a vehicle or bicycle therein or the lawful access to a vehicle or bicycle parked therein or other lawful purpose.
- i. This prohibition in does not apply to any person entering the Restricted Area who is authorised to carry out surveys, repairs or works to the building, equipment or utilities within the Restricted Area.
  - ii. This prohibition in paragraph does not apply to any person who is a member of the emergency services or who is an Authorised Officer and enters the Restricted Area in that capacity.
- (i) Littering in enclosed public spaces.  
All persons are prohibited from, at any time to throw down, drop or otherwise deposit any litter in the restricted area identified in Map 2 namely Allhallows car park, Lurke Street Car Park, River Street Car Park, Queen Street Car Park and Bedford Bus Station.

## **2. Conditions in this Order which are Requirements**

The requirements described below that all persons must comply with as from the date of this Order are:

- (a) Not to consume alcohol [or anything which an authorised officer reasonably believes to be alcohol] in the restricted area when required not to do so by an authorised officer.
- (b) Surrender any alcohol in his or her possession when required to do so by an authorised officer in the restricted area.
- (c) Surrender any drugs or psychoactive substances including any paraphernalia used for the use of such drug or psychoactive substance when required to do so by a Police Officer or Police Community Support Officer.
- (d) Dismount from a cycle, battery assisted cycle, E-scooter or skateboard when requested to do so by an authorised officer
- (e) Leave a public car park when requested to do so by an authorised officer

## **3. The land in relation to which this Order applies land**

The Order applies to the areas of the Bedford town centre identified in Map 1, 2 and 3 in this Order.

## **PERIOD FOR WHICH THE ORDER HAS EFFECT**

**This Order will come into force at 00.00 hrs on xxx 2025 and will expire at 23.59 hrs on xxx 2028.**

At any point before the expiry of this period the Council can review and vary the terms of the Order. As well as varying the Order the Council can also seek to discharge it at any time, subject to their being reasonable grounds to support such a decision.

## **WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?**

**Section 67 Anti-Social Behaviour, Crime and Policing Act 2014 states:**

- 1) It is an offence for a person without reasonable excuse:
  - a) To do anything that the person is prohibited from doing by a public space protection Order, or
  - b) To fail to comply with a requirement to which a person is subject under a public space protection Order.
- 2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- 3) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public space protection Order.
- 4) Consuming alcohol in breach of a public space protection Order is not an offence under this section (but see section 63)

### **Section 63 Anti-Social Behaviour, Crime and Policing Act 2014 states that:**

- 1) This section applies where a constable or an authorised person reasonably believes that a person (P) -
  - a) is or has been consuming alcohol in breach of a prohibition in a public space protection order, or
  - b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition.

In this section “authorised person” means a person authorised for the purposes of this section by the local authority that made the public spaces protection Order (or authorised by virtue of section 69(1))

- 2) The constable or authorised person may require P
  - a) not to consume, in breach of the Order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;
  - b) to surrender anything in P’s possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.
- 3) A constable or an authorised person who imposes a requirement under subsection (2) must tell P that failing without reasonable excuse to comply with the requirement is an offence.
- 4) A requirement imposed by an authorised person under subsection (2) is not valid if the person - is asked by P to show evidence of his or her authorisation and fails to do so.
- 5) A constable or an authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.
- 6) A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

### **FIXED PENALTY**

An authorised officer of the Council, or constable may issue a Fixed Penalty Notice as an alternative to prosecution to anyone in contravention of the Order. If you do not pay the Fixed Penalty Notice you may be prosecuted.

### **APPEALS**

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an Order is varied by the Council.

Interested persons can challenge the validity of this Order on two grounds, (i) that the Council does not have the power to make the Order or to include particular prohibitions or requirements; or (ii) that one of the requirements of the legislation has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court’s decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

Dated: .....

The Common Seal of  
Bedford Borough Council  
was hereto affixed in the presence of

[seal]

Signed: .....

DRAFT

## Map 1

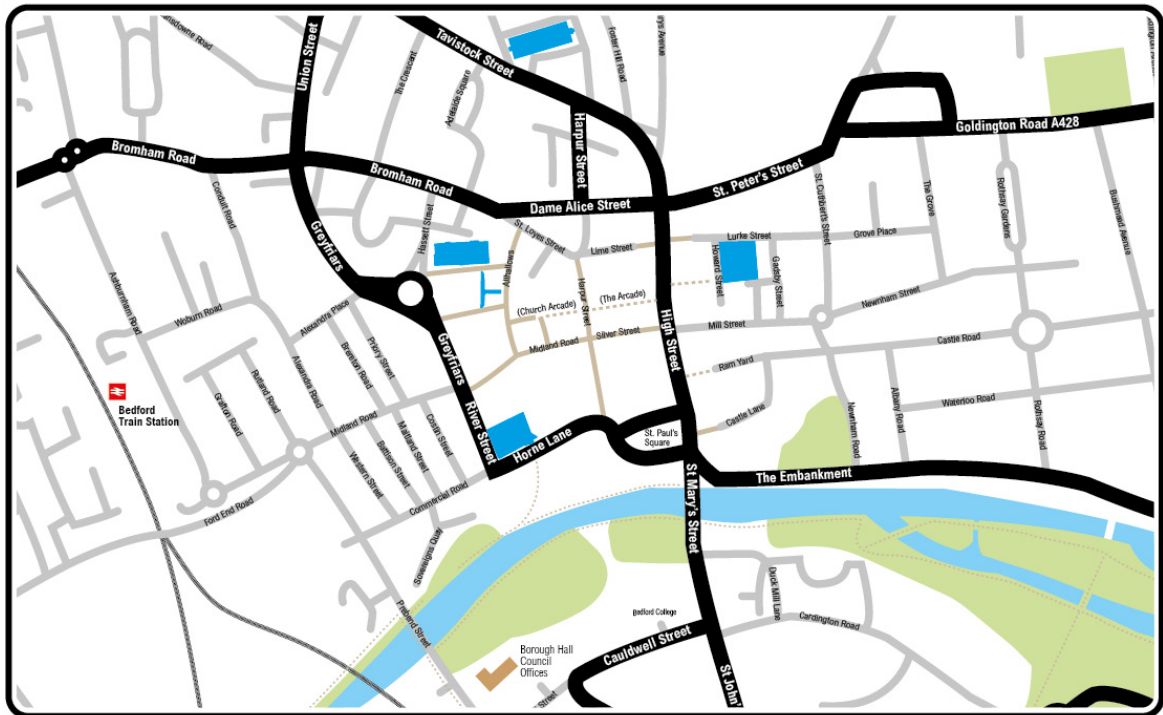
### Purple - Zone 1





## Map 2

### Blue – Zone 2



## Map 3



### Red - Zone 3



## Schedule 1

### Exemptions under the Anti-Social Behaviour, Crime & Policing Act 2014, section 62

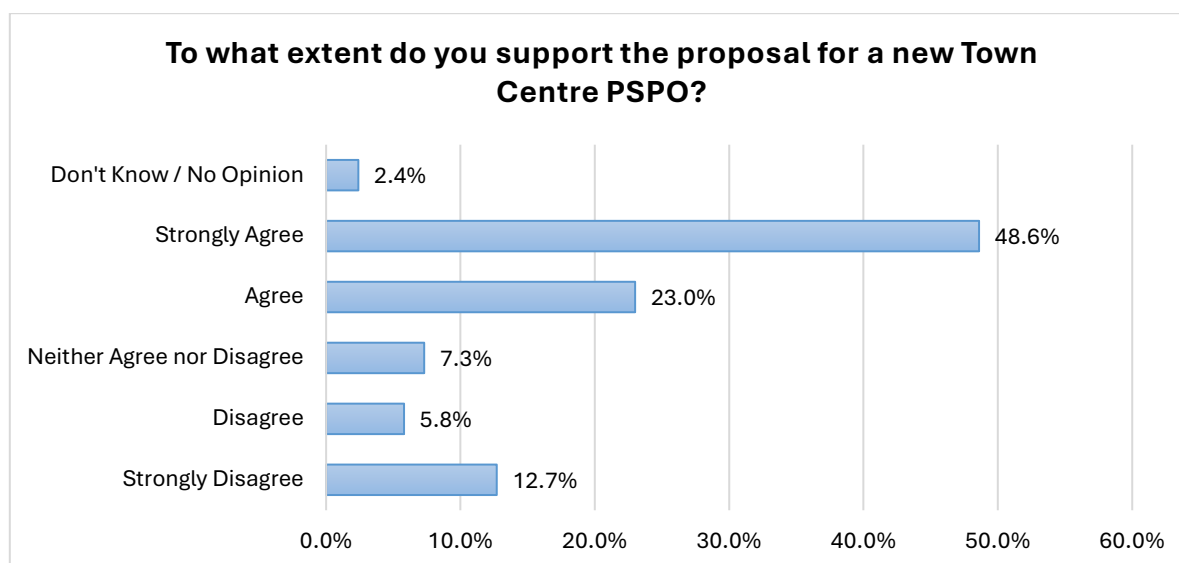
Premises etc to which alcohol prohibition does not apply

- (1) A prohibition in a public spaces protection Order on consuming alcohol does not apply to
  - a. premises (other than council-operated licensed premises) authorised by a premises licence to be used for the supply of alcohol;
  - b. premises authorised by a club premises certificate to be used by the club for the supply of alcohol;
  - c. a place within the curtilage of premises within paragraph (a) or (b);
  - d. premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within the 30 minutes before that time;
  - e. a place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (highway-related uses).
- (2) A prohibition in a public spaces protection Order on consuming alcohol does not apply to council operated licensed premises
  - a. when the premises are being used for the supply of alcohol, or
  - b. within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.
- (3) In this section-
  - “club premises certificate” has the meaning given by section 60 of the Licensing Act 2003;
  - “premises licence” has the meaning given by section 11 of that Act;
  - “supply of alcohol” has the meaning given by section 14 of the Act.
- (4) For the purposes of this section, premises are “council-operated licensed premises” if they are authorised by a premises licence to be used for the supply of alcohol and
  - a. the licence is held by a local authority in whose area the premises (or part of the premises) are situated, or
  - b. the licence is held by another person but the premises are occupied by a local authority or are managed by or on behalf of a local authority.

The Community Safety Team carried out a public consultation from 17 March 2025 until 27 April 2025. The survey was hosted online and was promoted through the Council's social media platforms. Posters were placed in key areas through the town and paper copies made available at the town centre library, the customer contact centre and the reception at the main office at Borough Hall.

Officers from the Community Safety Team attended a number of engagement activities in the town centre over the period to raise awareness and seek comments from those that work, live or visit the town centre.

- Overall, **656 people completed the survey, most supported the overall proposal** and each restriction, although in varying proportions.
- **71.6% of respondents** stated that they '**Strongly Agree**' or '**Agree**' with the proposal to introduce a new PSPO in Bedford Town Centre



Just over half of respondents provided a written comment to the overall proposal. These comments have been reviewed and fall into key categories.

- **General comments** that relates the proposed PSPO as a whole are summarised below.
- **Comments or concerns that relate to a specific restriction** within the PSPO have been included in the summary of each question.

Sufficient and consistent enforcement was a key theme in the general comments, many felt that there had been insufficient enforcement of the existing PSPOs.

As part of the recent restructuring exercise in the Council, the contracted enforcement service has moved into the Community Safety function, this allows contracted enforcement officers to work alongside community safety officers to ensure that day to day patrols can feed into longer term problem solving, education and engagement activities. That contracted enforcement service reflects the prohibited behaviours in the new proposal.

Police Officers in the Community Policing Team will also be authorised under the new PSPO and will be able to make use of FPNs alongside the other regular powers at their disposal.

A few respondents commented about the signage used in the designated areas.

In response officers have reviewed a wide range of signs used by other authorities and have looked to design signage that is visually clear as to the behaviours that are restricted in each area. Each sign will

have a QR code and the web address where full details can be found. Signs will be positioned in key places throughout the designated area to ensure that all persons are aware of the restrictions.

A few respondents made suggestions that the geographic area in the proposal should be extended. These areas ranged over a large part of the Borough.

The proposed designated areas have been defined by evidence of issues and are also designed to ensure that resources are focused on those areas that regularly experience greatest problems.

A few respondents raised concerns around the level of support for vulnerable persons in the town centre.

The Partnership has a strong commitment to protecting and supporting vulnerable persons. All front line professionals are aware of the services available to offer support and regularly submit referrals to statutory partners.

Small number of respondents also mentioned the following

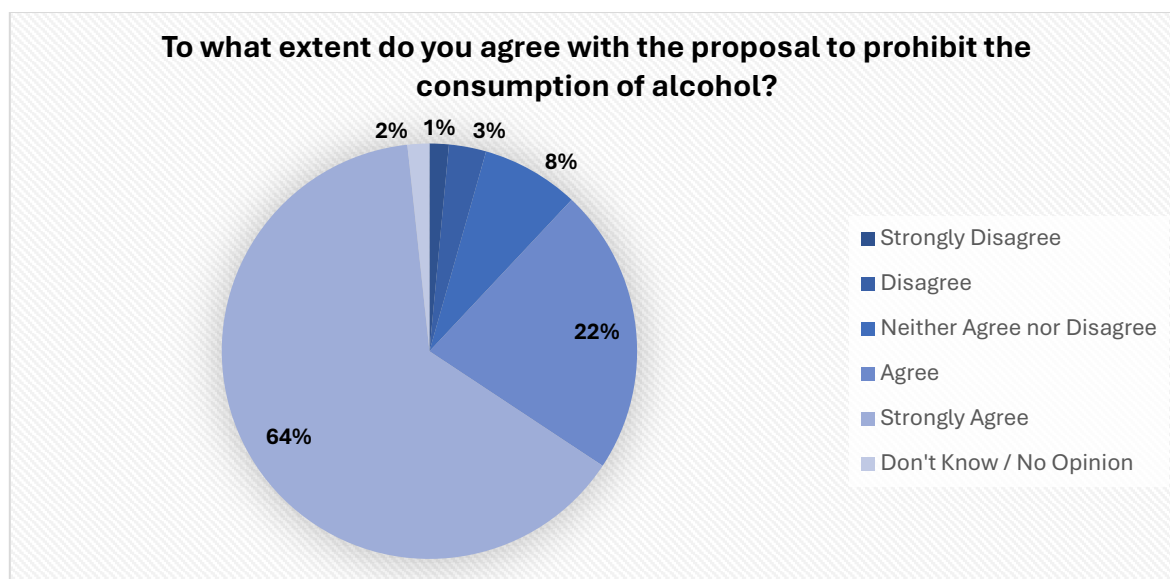
- Drugs use and dealing should be included
- The PSPO might displace issues into neighbouring areas
- Education and warnings should be used alongside enforcement

Council officers have reviewed the data for drug related issues in the town centre and evidence has been included in the main report and proposed new PSPO.

Any focused enforcement action may result in displacement, this will be monitored using regular partnership meetings over the three year period and may be dealt with by means of a variation to the PSPO as appropriate.

The Community Safety Partnership (CSP) will develop and deliver engagement activities to provide education and advice which will compliment the PSPO. Authorised officers will carry signposting materials that can be provided to those persons which they believe would benefit from additional support.

- **Alcohol Consumption**

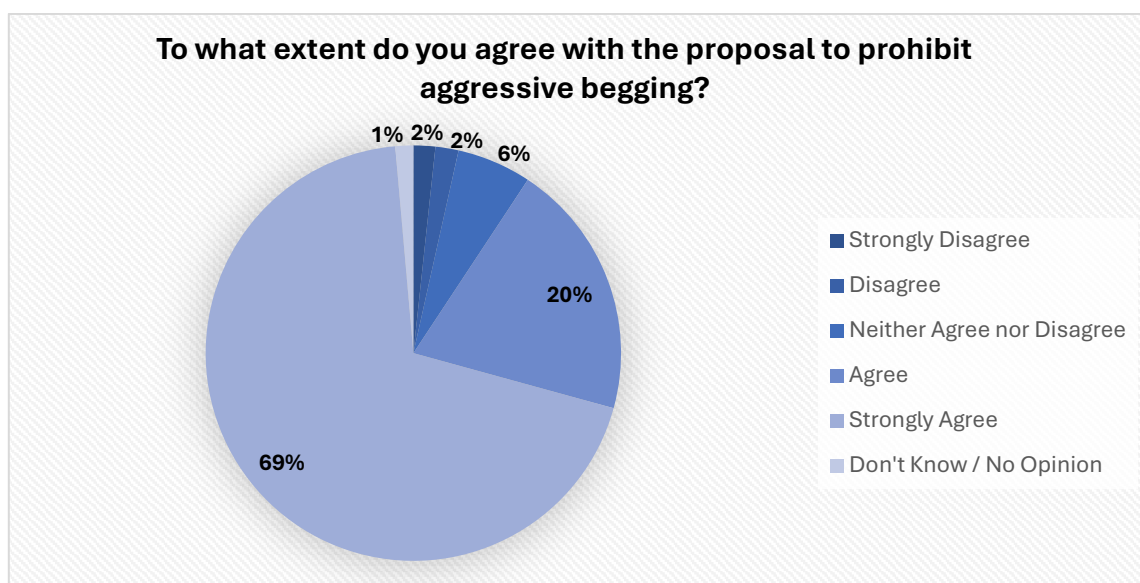


**86.3% (566)** of the respondents **strongly agree or agree** with restrictions for those that consume alcohol in public places and cause anti-social behaviour to others. With **4.4% (29)** **strongly disagree or disagree** with the proposal.

A small number of respondents raised concerns about levels of support available to those may be alcohol dependant.

The CSP has a mechanism in place that can be used by authorised officers to refer persons that they believe to be vulnerable. Cases are manged through a panel of statutory partners and commissioned services to develop support pathways for these individuals with the aim of addressing the needs of that person and at the same time reducing anti-social behaviour.

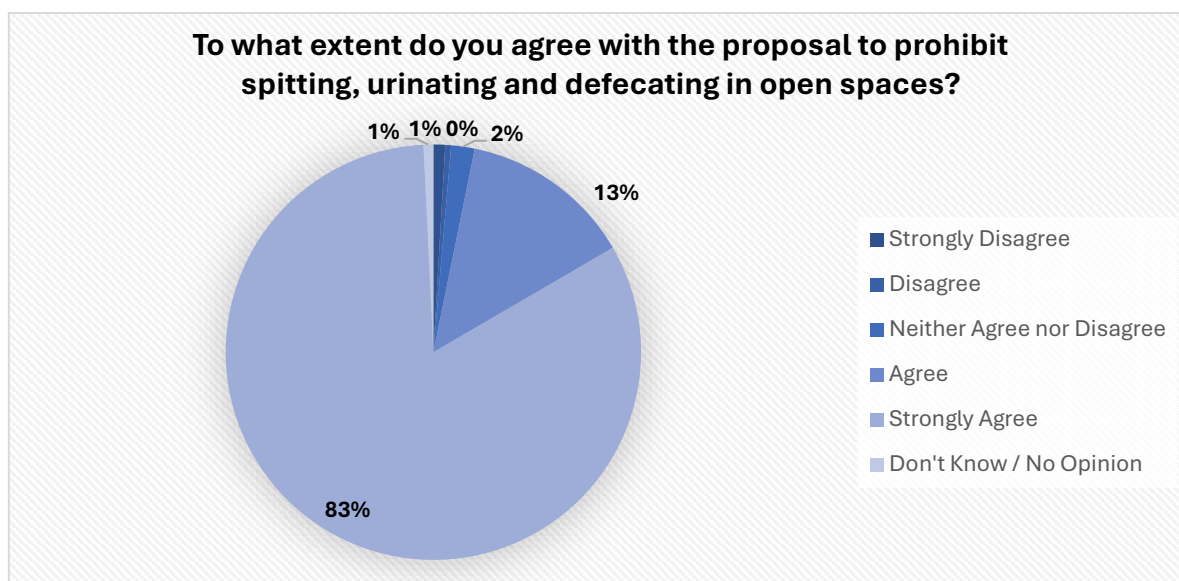
- **Begging**



**89.3% (586)** of the respondents **strongly agree or agree** with restrictions for those that beg in public places and cause anti-social behaviour to others. With **43.5% (23)** **strongly disagree or disagree** with the proposal.

A small number of respondents expressed concerns about the link between begging and rough sleeping, however the CSP would look to ensure that outreach service are notified of any persons that appears to be homeless, we would also expect authorised officers to complete the appropriate safeguarding referrals for any vulnerable person that they engage with.

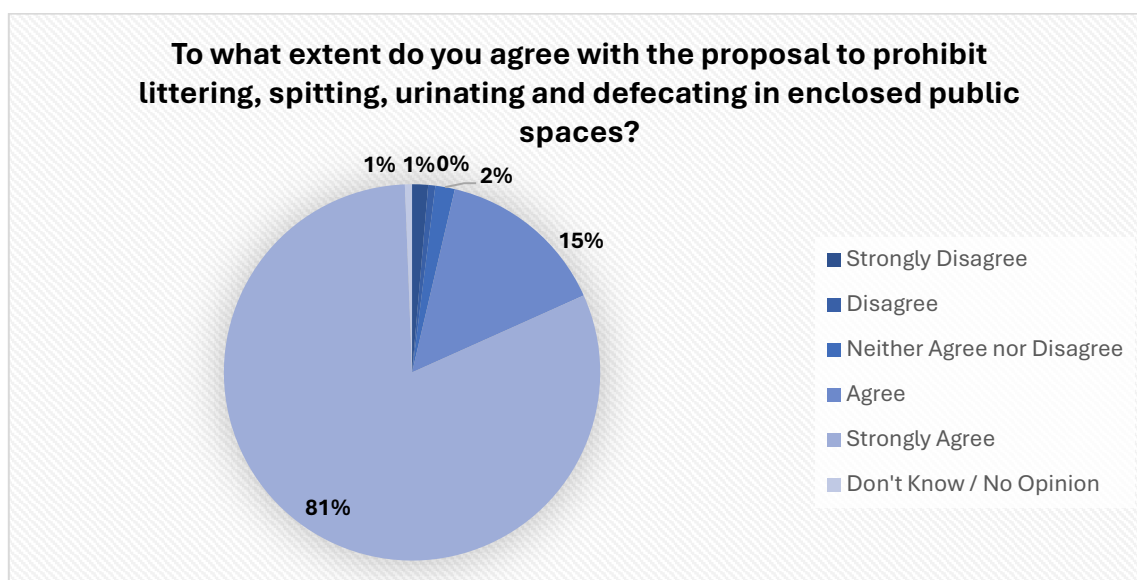
- **Spitting, urinating and defecating in open spaces**



**96% (630)** of the respondents **strongly agree or agree** with restrictions for spitting, urinating and defecating in open spaces. With **1.4% (9)** **strongly disagree or disagree** with the proposal.

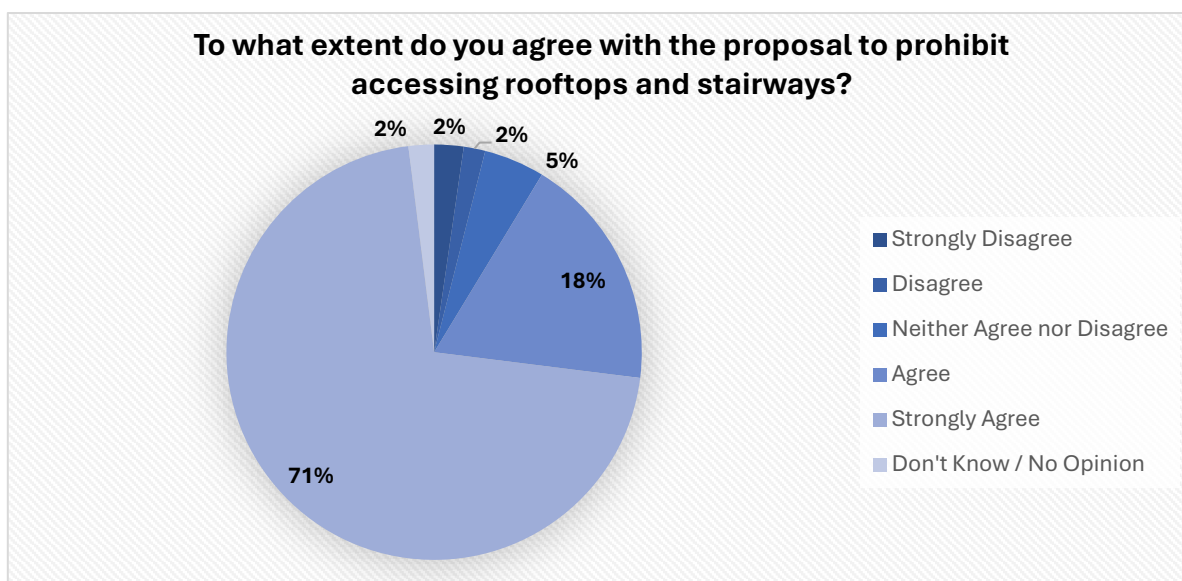
A few respondents raised concerns about the availability of public toilets, however there are a number of public toilets within the designated area.

- **Littering, spitting, urinating and defecating in enclosed public spaces**



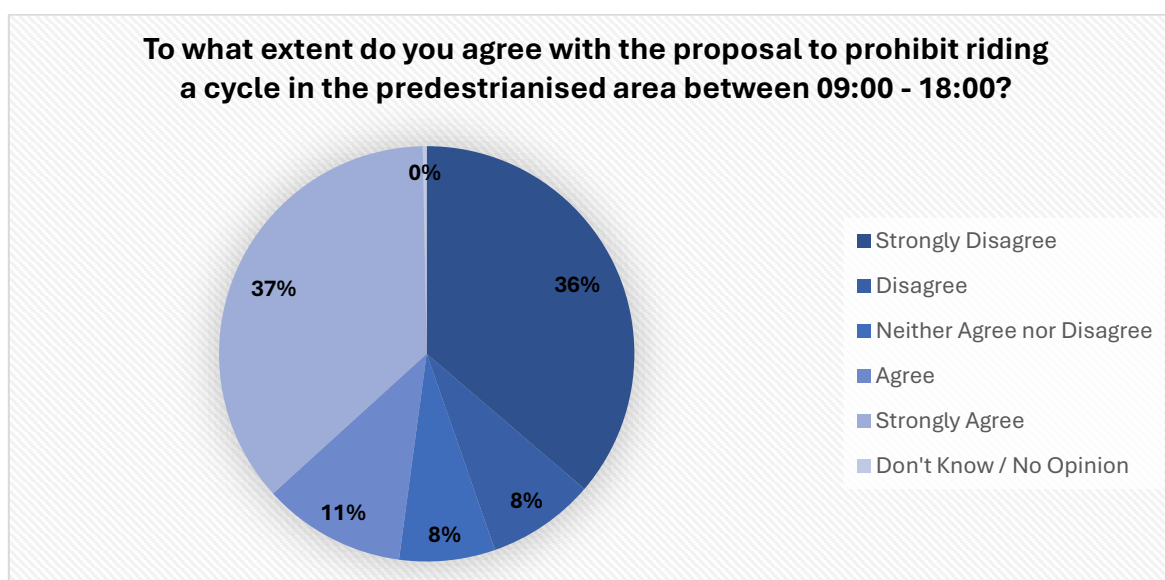
**95.7% (628)** of the respondents **strongly agree or agree** with restrictions for littering, spitting, urinating and defecating in enclosed public spaces. With **2% (13)** **strongly disagree or disagree** with the proposal.

- **Accessing rooftops and stairways**



**89.3% (586)** of the respondents **strongly agree or agree** with restrictions on accessing stairwells and rooftops in public spaces to cause anti-social behaviour. With **4% (26)** **strongly disagree or disagree** with the proposal.

- **Cycling in the pedestrianised area of the town centre**



**47.6% (312)** of the respondents **strongly agree or agree** with restrictions on cycling in the pedestrianised area of the town centre between 09:00 and 18:00. However **44.7% (293)** **strongly disagree or disagree** with the proposal. This is the only proposed restriction in the consultation that does not have clear distinction between support or disagreement.

**17% (111)** of respondents raised concerns that cycling as an activity "...should not be banned". Many stated that they did not consider cycling to be anti-social behaviour. Others felt that restricting cycling would have a negative impact on businesses and was not supportive of sustainable travel.

Some respondents did provide comments that supported the need to restrict cycling.



**3.8% (25)** stated that they felt cycling in the pedestrianised areas should be restricted and gave examples of when they had observed or experienced dangerous cycling within the area.

**8.6% (57)** suggested that the restriction should be varied to **only prohibit cycling that poses a danger to pedestrians**.

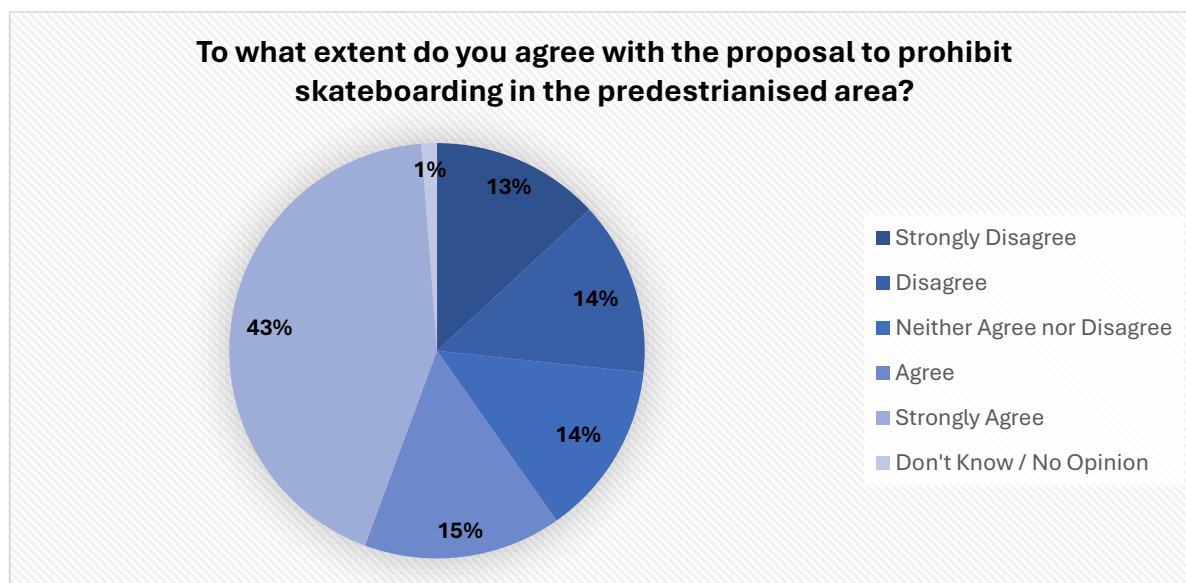
Concerns were also raised in the question relating to the Council's Equality Impact Assessment. More than a third of respondents felt that the proposal to restrict cycling in the pedestrianised area would have a negative impact on protected groups for age and disability.

**76 respondents provided a written comment** to this question that suggested restricting cycling would adversely impact on young people who cycle to and from education settings and older or disabled persons who may find cycling easier than walking.

As a result and due to the mixed opinion officers were asked to look for a restriction which focused on those that **cause harm or distress** by their **dangerous or aggressive cycling**.

The final proposed PSPO will include the revised definition of '**aggressive/dangerous cycling**'.

- **Skateboarding in the pedestrianised area**

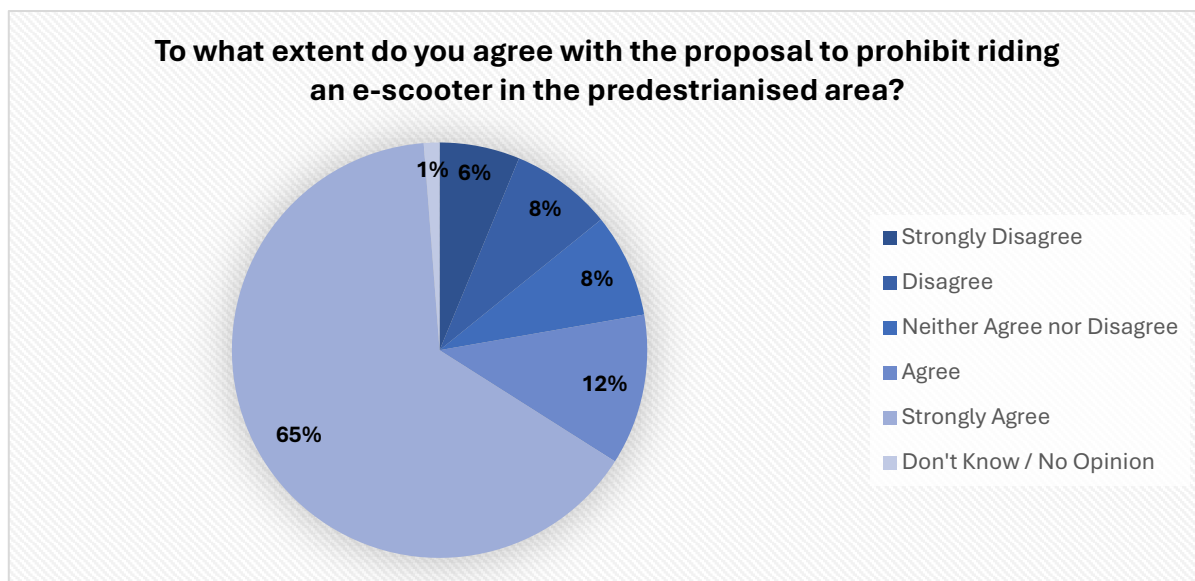


**58.5% (384)** of the respondents **strongly agree or agree** with restrictions on skateboarding in the pedestrianised area of the town centre. With **26.7% (175)** **strongly disagree or disagree** with the proposal.

A small number of respondents were concerned about the lack of suitable facilities for young people in the area.

There are a number of skate parks in the Borough which provide free and safe facilities for young people to use.

- Riding an e-scooter in the pedestrianised area**



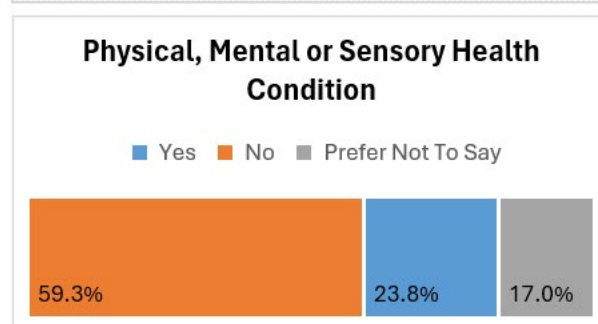
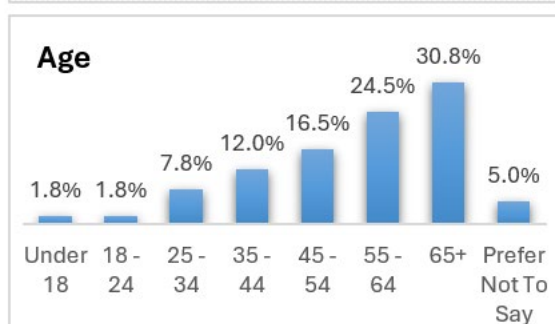
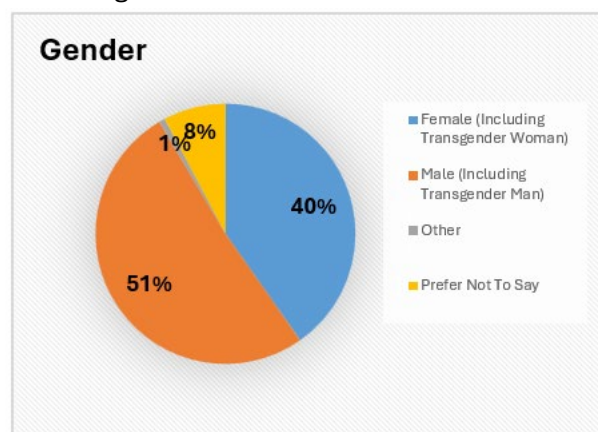
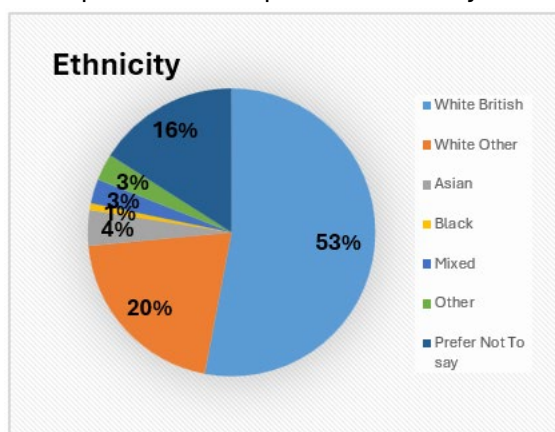
**76.5% (502)** of the respondents **strongly agree or agree** with restrictions on riding an e-scooter in the pedestrianised area of the town centre. With **14.2% (93)** **strongly disagree or disagree** with the proposal.

Respondents were invited to provide some information about themselves, however these questions were voluntary.

The graphs below give a summary of demographics of those that completed the survey. Demographic information was collected from those respondents who chose to provide details.

Of the 656 completed surveys **400 (61%)** provided details, these are summarised below.

- 17 respondents completed the survey on behalf of an Organisation



- A briefing note was sent to all elected members in March 2025 making them aware of the proposal for the new Town Centre PSPO.
- A pre-Full Council session was held to allow all elected members to see the proposal and speak to members of the Community Safety Team.
- Councillors in the specific wards within the designated area of the new PSPO were also invited to provide a comment for inclusion in the report.
- Whilst individual Cllrs were invited to complete the public consultation, some also provided comments or statements for inclusion in the report.
- The complete responses have been provided verbatim below.

**Cllr Micheal Headley – Putnoe Ward**

*Please take this as a response to the PSPO consultation. (It is not possible to make a simple point on the online version without answering every other question.)*

*I object to the removal of the PSPO on e-scooter use in Parks - in particular those in Putnoe Ward.*

- *Mowsbury Park*
- *Putnoe Park*
- *Chiltern Ave Green*

**Liberal Democrat Group response**

*Bedford Borough Council*

*Town Centre Public Spaces Protection Order Public Consultation*

*Response from the Liberal Democrat Group*

*This is a short response to the consultation on the Public Spaces Protection Orders (PSPOs) in Bedford Borough.*

*The response accepts that PSPOs, whilst imperfect, may be the only enforcement tools available to local authorities where police enforcement is failing.*

- 1. The Council needs to play a key role in tackling anti-social behaviour and crime within our town centre and more widely where the police are failing to do so.*
- 2. PSPOs are ineffective without proper enforcement by the police and where appropriate council officers. We support efforts to improve police enforcement in Bedford Borough as a whole.*
- 3. We object to the removal of restrictions in parks and in other open spaces and note the omission of Kempston Town Centre from the proposals and recommend further consultation be undertaken on this.*

4. *We support the alcohol PSPO zone but believe stronger enforcement is needed, including the issuing of fines, removal of alcohol and more support for those suffering from substance abuse.*
5. *We are concerned that existing PSPO protections dealing with illegal activity are actually being reduced under these proposals, with no proposal to tackle the illegal use of e-scooters within Bedford Borough's parks.*

#### **Cllr David Sawyer – De Parys Ward**

*My comments are in the context of the persistent ASB on St Peter's Green, street drinking, drug taking, urination etc. I am concerned that the application of the PSPO should incorporate appropriate levels of enforcement. Whilst it is right to refer those who engage in persistent ASB to appropriate support, the level of enforcement should be sufficient to deter further ASB by the same individuals. For example, are we able to make use of acceptable behaviour orders and/or anti-social behaviour orders, between words of advice and FPNs?*

#### **Lucy Bywater & Paul Edmonds – Castle Newnham Ward**

*As ward councillors, we are reluctant in principle to support PSPOs as we believe the illegal anti-social activities which come within the existing PSPO should be enforced by police rather than by a contracted private company. That would give better accountability and remove any financial motive. Alternatively, IF the council were to employ its own trained enforcement staff rather than using external contractors (due to police continuing to lacking resources), this could be transformative in terms of issuing FPNs where necessary to reduce litter, spitting, street drinking, defecating and urinating in public spaces, all of which put pressure on council resources in terms of clearing up. All income from FPNs could even potentially be ringfenced for town centre enforcement rather than ending up with private companies unaccountable to the public. Without using its own employees, the council is dependent on its contractor's willingness to meet equalities requirements which the council has under its obligations under the Public Sector Equality Duty to meet its unique published specific equality objectives (as required under the Equality Act 2010 (Specific Duties) Regulations 2011). A contract that does not permit the council to detail specific requirements of enforcement officers cannot be adequate.*

*We are also concerned that the council risks failing to adequately meet legal tests on PSPO restrictions leaving the council open to legal challenge on the validity of the PSPO. For example, the following tests need to be met: Prohibition must be necessary and proportionate; Behaviour must be unreasonable; Requirement to restrict the activities causing the anti-social behaviour rather than access in its totality; Possible strategic value of rights of way.*

#### **Urinating & defecating in public spaces:**

*The inclusion within the new PSPO of the act of using public spaces for urinating and defecating gives us some cause for concern in that the council's public toilets not being open in the evening leaves nowhere for many people in particular rough sleepers, to go. They also risk being*

*refused entry in the evenings to the businesses whose facilities are part of the council's community toilet scheme (if they are open when needed). Homeless charities have shared their concerns with us about this and the issue of human dignity for people.*

**Access to rooftops/stairwells:**

*We support the proposed restriction on accessing stairwells or rooftops for those not needing to get to and from their vehicle as we have been very worried about large objects being hurled down on to the footpath from the top of Lurke Street object by groups accessing the roof.*

**Street drinking:**

*We agree that anti-social street drinking and related behaviours have a very negative effect on the town centre and are putting off some of our residents from coming into town including vulnerable, disabled and elderly people more likely to face more social isolation by staying away. However, we have concerns that the existing PSPO prohibiting the consumption of alcohol in public places on the map has proven ineffective. We were pleased to see the multi-agency approach to street drinking and addiction in recent years, but remain unconvinced that it is making a difference to the town centre in reducing ASB or numbers of street drinkers. (We acknowledge that addiction is complex and not easy to deal with). Meanwhile people who are consuming alcohol in public places who are not 'problem' street drinkers should not be at risk of a penalty for behaviour that isn't antisocial.*

**E-scooters:**

*As e-scooters are currently illegal outside approved hire schemes with the important safety regulations that those include, why are e-scooters explicitly listed as part of the new PSPO? Again, it is the police's responsibility to deal with them and e-Scooter numbers are growing right across the borough on roads and on footpaths, often at frightening speed. We urgently need national regulation from Government and for proper information to be made available to those buying them locally. The danger to users and other road/footpath users by unregulated use is very much an increasing worry to us across our ward. Nevertheless, we hear recently that the Government is likely to legislate to allow e-scooters to be used on some parts of public highways under some circumstances. If and when e-scooter use on the highway is permitted by legislation, it will be important for the PSPO related to e-scooters to be drafted to take account of possible future legalisation.*

**Cycling:**

*Despite the concerns raised above about the nature of the PSPO renewal proposals - given the many ongoing ASB problems harming our town centre in social, environmental and economic terms and IF there continues to be insufficient police resource to enforce the acts that are anti-social and illegal - we reluctantly support the PSPO overall. But we strongly oppose the inclusion of all cycling per se as an anti-social activity.*

*At a time when the council should be encouraging active travel for the multiple and well known social, health and economic benefits, it is penalising all cyclists within the car-free PSPO area who actually agree to stop for enforcement. Therefore, careful and considerate cyclists, who pose no risk to others, give their details to poorly trained, rude contracted enforcement and face a £75 fine or much more if they take the risk of challenging. Some of these cyclists have been older people and those with mobility issues who rely on a cycle as a door-to-door*

*mobility aid and those without access to a car. A polite request to these cyclists to dismount, IF able to do so, would suffice, for example if town was extremely busy. However, the other cyclists, who may be reckless, too fast and potentially dangerous, continue without any penalty in the town centre and elsewhere. They are seen not to stop for enforcement and indeed enforcement are seen not to attempt to stop them at all. If they can only stop the safe, cooperative ones (who have been the majority in the past), what is the point? Likewise with the increasing number of illegal e-scooters since the last PSPO consultation. The current PSPO has therefore been a pretence at making pedestrians and wheelchair users safer whilst making cyclists less safe, pushing them onto the town centre's unsafe, one-way system that affords them so very little space. Not only is this unpleasant and unsafe, but crucially it deters many potential new cyclists, and prevents the essential modal shift at scale that both the climate emergency and local air quality require. Traffic congestion in the town is dreadful and gets worse if more people opt for driving rather than cycling.*

*We have equalities concerns since the enforcement of the PSPO doesn't recognise the fact of cycles being a mobility aid for many and therefore discriminates against people with disabilities, some of whom are given greater independence by use of a bike, adapted bike or trike which allows them to get much closer to their destination, such as a town centre businesses, without having to drive, park and then use a wheelchair. It also effectively discriminates against women who are less likely than men to own a motor vehicle. Likewise, those on low incomes who can't afford to drive, those in flats within the CPZ with no parking and those from ethnic minorities who have a higher chance of facing economic hardship and might find a bike an affordable way to travel. Similarly, the ability to challenge an FPN through the courts is so costly as to make it beyond the reach of very many people, and especially those on lower incomes. People who are already disadvantaged in more than one way are disproportionately disadvantaged by this ban.*

*In addition, there has not been consideration of displacing behaviour when it comes to the cycling aspect of this PSPO. We see a tendency for cycling on the pavement of the High Street in particular perhaps by cyclists wishing to avoid the risk of a PSPO penalty, or afraid of cycling with the traffic or wanting to go south-north and who are particularly likely to take that option. There is also cycling on the pavements on the other busy roads surrounding the PSPO area that has been made more likely by the PSPO. By covering the streets it does, but not the pavements of the surrounding roads where there is no enforcement, the PSPO in effect encourages cycling on pavements.*

*It is better for there to be adequate cycle infrastructure that is separate from both pedestrian infrastructure and busy roads for motor vehicles, than to have 'shared use' spaces where cyclists mixing with pedestrians. But where there is no other mechanism available to secure adequate cyclist safety, shared space must be used. Therefore the streets that are closed to motor traffic in the centre of Bedford, should have a marked cycle route with edges that are detectable by visually impaired people (but which do not provide a barrier to wheelchair users and users of rollators and mobility scooters) and a difference in surface colour (and ideally surface type) to distinguish them from the pedestrian space. Cyclists will need to learn to use such a cycle route rather than pedestrian spaces, and pedestrians will need to learn to cross the cycle route with care, in the same way that they cross other highways with care when the traffic is motor traffic. In the interim a shared space is a lesser evil than a PSPO that penalises slow and cooperative cyclists who are willing to stop for an enforcement officer but leaves unaffected those cycling with excessive speed and dangerously. Enforcement officers should spend their time dealing with truly*

*antisocial behaviour, rather than getting distracted by issuing penalty charge notices to the slow and cooperative cyclists who are willing to stop.*

*As we have said consistently about cycling, what the council should be doing is putting efforts into addressing the problem of the dangerous and antisocial bike riders, while actively promoting responsible cycling. What it actually does is the opposite. A proportionate and evidence-based response is urgently needed to genuinely benefit the town centre as seen in many popular European cities – Amsterdam, Copenhagen, Ghent and more recently Paris, for example. Anything less seems a pretence at dealing with a problem in our view. The Council must focus on providing safe, town centre cycle infrastructure including protected lanes for cyclists wherever physically possible. We should be hearing people say, 'Bedford town centre is thriving, and it's so easy to cycle safely there'.*

### **Cllr Ben Foley – Greyfriars Ward**

#### *PSPOs in General*

*In the absence of other effective enforcement, I support there being a variety of PSPO restrictions. Many of the behaviours are so clearly and unequivocally antisocial there is little more to be said than to support effective enforcement. Against that background, it is somewhat odd to find behaviour that is not inherently antisocial also being made subject to a PSPO.*

*That said, in principle I am opposed to all PSPOs, since the law ought to be enforced (when necessary) by public servants rather than for-profit enforcement companies where the “enforcement officers” are, inevitably, insufficiently accountable and far too often insufficiently trained. I would be much more comfortable with PSPOs if PSPOs were exclusively enforced by council employees who were sufficiently trained and accountable (and the council was sufficiently resourced to be able to do this without some of the current biases towards issuing FPNs in circumstances where there is a financial incentive to issuing them). Even if they were enforced by public servants, I would want PSPOs to allow for more due process and be less reliant on the penalty of the increased charge for challenging in the court. I further have concerns that fixed penalties that fail to take account of ability to pay impose a mild punishment on the affluent and a very severe one on those in poverty. It is that background that limits my level of support for PSPOs, to at maximum be “In the absence of other effective enforcement”.*

*Challenging an FPN carries risk of considerable extra charge, costs of attending court, risk of victim surcharge, and prosecution costs. These factors combine to create the possibility a victim may have to pay 14 times as much as the original FPN if their challenge fails. The ability to challenge an FPN through the courts is so costly as to make it beyond the reach of very many people, and especially those for whom finances are tight. This means that PSPOs inevitably have equalities impacts on demographics that are associated with greater poverty, notably age (many more young people struggle for money), ethnicity, and Disability (Wheels for Wellbeing, 2025).*

*In practice, I have concerns that for-profit enforcement of PSPOs is too likely to disproportionately target minoritised groups, those who are judged by the “enforcement officers” as possible sources of income. Those who look like they are more likely to meekly accept the FPN are more likely to be enforced against. This is particularly problematic when it comes to a PSPO restricting cycling, since there have been repeated reports of those who are cycling with excessive speed being ignored by private enforcement officers, who recognise they very*

*rarely have the capability to stop someone who is determined not to cooperate with them, and a recent case of a serious injury being caused by a cyclist attempting to evade enforcement officers in Grimsby (Pal, 2025).*

*I am surprised by comments from a council officer that the council could not cope with the financial implications of operating PSPO enforcement internally, because of the processes systems and equipment required (rather than because of lower pay rates). The council already has parking enforcement officers: the arrangements required are remarkably similar. The council should expand on those systems to use its own employees to enforce the PSPO, thus retaining greater control, rather than continuing to risk using contractors, some of whom have gained a very bad reputation for indiscriminate enforcement elsewhere (including issuing FPNs to cyclists cycling on marked cycle paths in Chelmsford). By using its own employees to enforce, the council can ensure that its high standards with respect to equalities are reflected in the behaviour of enforcement officers.*

*Without using its own employees, the council is dependent on its contractor's willingness to meet equalities requirements, which may be limited to standard requirements, and thus prevent the council from meeting its obligations under the Public Sector Equality Duty to meet its unique published specific equality objectives (as required under the Equality Act 2010 (Specific Duties) Regulations 2011). A contract that does not permit the council to detail specific requirements of enforcement officers cannot be adequate.*

*I also have concerns that the proposed PSPO restrictions do not consistently meet all of the legal tests related that there is a*

- Detrimental effect on quality of life*
- Persistent or continuing in nature*
- Behaviour must be unreasonable*
- Prohibition must be necessary and proportionate*
- Requirement to restrict the activities causing the anti-social behaviour rather than access in its totality*
- Possible strategic value of rights of way*

***Failure to adequately meet these legal tests leaves the council open to legal challenge on the validity of the PSPO. If the council has consulted on an unlawful PSPO, it must not implement it, since it should never have consulted on it.***

*I recognise that time pressures associated with the aftermath of the Cleat Hill explosion resulted in officers producing a questionnaire that even they recognise was sub-optimal. It is thus not surprising that the questionnaire did not meet the standards of "Questionnaire design guidance" (Government Analysis Function, 2023), further it is subject to acquiescence bias (eg Krosnick, 1999), and a priming effect, both of which make "agree" answers to later questions more likely than they would be if a questionnaire had been designed to minimise or avoid those effects.*

### ***Begging***

*While, in the absence of other effective enforcement, I support the PSPO against aggressive and persistent begging, I note the wording used was "To what extent do you agree or disagree with the proposal to prohibit aggressive / persistent begging...". This was misleading, since*



*begging is, in any case prohibited. Thus, a PSPO does not 'prohibit', so much as change the enforcement regime. Residents who, seeing the prevalence of begging imagined it was not already 'prohibited' may mistakenly have imagined that the PSPO was needed to make it illegal, when it was not.*

#### *Urinating and Defecating*

*The same concerns apply to the "proposal to prohibit ... urinating and defecating in public places". In addition, in other societies and in the past in this country, this aspect of the law has been used to restrict women's freedom due to the lack of provision of publicly usable toilets for women. For there to be such restrictions without oppression, there need to be widespread public toilets available at all the hours that they are likely to be needed. Lack of public toilets is a serious issue that particularly still restricts the freedom of Disabled people in this country. The council should do more to ensure public toilets are available at all the hours that they are likely to be needed. Given the regrettable number of rough sleepers, this is likely to be 24 hours, at present.*

#### *Alcohol*

*I am concerned that over recent years the PSPO prohibiting the consumption of alcohol in public places has proven ineffective. The problem street drinkers need other forms of engagement to get them to reform their behaviour, since attempting to serve Fixed Penalty Notices on them is ineffective. By contrast, people who are consuming alcohol in public places who are not problem street drinkers should not be at risk of a penalty for behaviour that isn't antisocial. If on the other hand, adequate evidence can be provided that a PSPO to prohibit the consumption of alcohol in public places can be made effective in dealing with the significant problem of street drinking in my ward and nearby parts of the town centre, I will support it as much as any other PSPO. I am aware of how groups of street drinkers, who I pass regularly, can be intimidating to other members of the public, and street drinkers additionally have a tendency to leave litter. If a PSPO can be shown to effectively contribute to a multi-agency approach to reduce addiction, I would be a very strong supporter of it.*

#### *Stairwells/Rooftops*

*With the proposed restriction on accessing stairwells or rooftops, while I am, in principle, supportive of the idea of such a PSPO, there is a danger that the wording constitutes a circularity: defining antisocial behaviour as doing something "for the purpose of committing anti-social behaviour".*

#### *Cycling*

*In the absence of other effective enforcement, I support a PSPO on cycling with excessive speed or dangerous cycling, and on riding an illegally modified eCycle/unregistered eMotorcycle (one that does not meet the requirements of an electrically assisted pedal cycle - EAPC, but which is not registered as a motor vehicle with DVLA). I do not, however, support there being a PSPO restriction on cycling a legal cycle (or EAPC) that is neither at excessive speed nor dangerous. I believe a wider ban on all cycling in the daytime seriously struggles to meet the requirement for restrictions to be necessary and proportionate, especially since restrictions on cycling in the roads closed to motor traffic were introduced after only a single incidence of serious injury, and that there have been multiple serious injuries of cyclists on surrounding roads since it has been in place.*

*I am aware that the PSPO has not been the only restriction on cycling on roads closed to motor traffic in the town centre: there is also a Traffic Regulation Order. I would additionally ask for the TRO that restriction on cycling in those streets to be lifted for cycles. While that, strictly, is not the subject of this consultation, it cannot be reasonable to say that neither should be lifted because of the existence of the other: to take such a position would be to say they are unchallengeable.*

*Having said I do not support there being a PSPO restriction on cycling a legal cycle (or EAPC) that is neither at excessive speed nor dangerous, I would like it to be noted that I do not like or approve of “shared use” spaces where pedestrians and cyclists are expected to mix. They should only be used as a last resort in locations where there is no other mechanism available to secure adequate cyclist safety. For the streets that are closed to motor traffic in the centre of Bedford, there should in due course be a marked cycle route with edges that are detectable by visually impaired people (but which do not provide a barrier to wheelchair users and users of rollators and mobility scooters) and a difference in surface colour (and ideally surface type) to distinguish them from the pedestrian space. Cyclists will need to learn to use such a cycle route rather than pedestrian spaces, and pedestrians will need to learn to cross the cycle route with care, in the same way that they cross other highways with care when the traffic is motor traffic. In the interim, however, a shared space is a lesser evil than a PSPO that penalises slow and cooperative cyclists who are willing to stop for an enforcement officer, but leaves unaffected those cycling with excessive speed and dangerously. Enforcement officers should spend their time dealing with truly antisocial behaviour, rather than getting distracted by issuing penalty charge notices to the slow and cooperative cyclists who are willing to stop.*

*I am concerned that there has been insufficient thought about displacing behaviour when it comes to the PSPO about cycling. With colleagues I have noted a tendency for cycling on the pavement of the High Street in particular, the street with the greatest pedestrian flows. Cyclists wishing to avoid the risk of a PSPO penalty and either afraid of the traffic or wanting to go south-north are particularly likely to take that option. There is also cycling on the pavements on the other ‘A’ roads surrounding the PSPO area that has been made more likely by the PSPO. By covering the streets it does, but not the pavements of the surrounding roads, the PSPO actually encourages cycling on pavements. It is better for there to be adequate cycle infrastructure that is separate from both pedestrian infrastructure and busy roads for motor vehicles, than to have cyclists mixing with pedestrians.*

*Related, I note the guidance about strategic value of rights of way. In this respect, it is worth noting that the former QUANGO Cycling England issued guidance “Many towns and cities have central areas largely free of motor vehicles. These areas often form hubs for radial routes to shops, services and employment. Restricting vehicular access in these areas can sever routes for cyclists unless they are exempted from the restrictions” (Cycling England, 2009). Similarly, Bedford’s draft Local Walking and Cycling Infrastructure Plan for identifies Midland Road-Silver Street and Harpur Street-Harpur Square as cycling ‘desire routes’ (figure 7) and Midland Road-Silver Street in the draft cycling desire network (which assumes protected cycle infrastructure to allow cycling both off the carriageway and pavement on the High Street). Midland Road-Silver Street cannot be made part of the network while a PSPO banning cycling during the daytime is in place. I am deeply concerned about the equalities impacts of PSPOs. Given there has been no equalities impact assessment published, I cannot comment on it. However, I note that PSPOs related to cycling inevitably have equalities impacts, since there is strong variability in propensity to cycle on roads without protected infrastructure (such as the A4280, and the A600 - whether High Street or Horne Lane/Greyfriars). Road*

*danger is known to be “A key mechanism by which poor walking, wheeling and cycling environments exclude some groups... this has been shown to be a major deterrent to uptake. The variability in propensity to cycle on roads without protected infrastructure means that restrictions on cycling in traffic-free areas hits hardest those with a lower propensity to cycle on roads without protected infrastructure.” (APPGCW, 2025) That means disproportionate impacts on women (British Cycling, 2025), disabled people and the elderly, children (APPGCW, 2025) and probably black people too (Osei and Aldred, 2023).*

*I have a particular concern about the need to enable Disabled people to access town centre shops and facilities (including the library and Harpur Suite). Many elderly and disabled people use cycles as mobility aids (Wheels for Wellbeing, 2022). The number for whom this is the case includes a significant number who do not identify as Disabled (rather preferring to say “I can’t walk very far” or “I’m not very steady on my feet”, etc.). For many of us being able to “just get off and push” is simply not an option (whether due to pain or a requirement for physical effort beyond individual capabilities), and for some users of handcycles it may be physically absolutely impossible. To enable Disabled people to access town centre shops and facilities it is absolutely essential that there is a practically usable exemption to the PSPO for Disabled people.*

*I note that Leicester City Council have attempted to cover many of the issues that give rise to my concerns, by using a PSPO exemption. If a PSPO with text along the lines of the Leicester PSPO is adopted, I would suggest wording for the exemption along the lines of “Nothing in this order applies to a person who uses a mobility scooter for access reasons or a person who uses a cycle, E-cycle or E-scooter as a mobility aid and cannot safely dismount and push a cycle or carry their e-scooter for any significant distance, but these persons must use these aids in a careful and considerate manner.” However, mere wording of an exemption is not sufficient, due to the difficulty associated with challenging an issued FPN. For me, to prevent PCNs being issued to Disabled people, enforcement officers must ask “are you able to dismount please” or something similar that proactively checks whether the person is Disabled. Without there being a proactive enquiry from enforcement officers, the exemption becomes purely notional, since a Disabled person issued with a PCN is almost certain to be scared into paying it by the disproportionate costs of risking challenging the PCN through the legal system. Without such an exemption and proactive checks by enforcement officers whether the person they are dealing with is Disabled before issuing a PCN, I could not support a PSPO with text along the lines of the Leicester PSPO, but with those provisos, I could accept something very close to their wording “Any person riding a pedal cycle, e-cycle, skateboard or riding a manual scooter must do so in a manner that does not cause harassment, alarm, or distress to any person in the designated area and must dismount if requested to do so by a Police Officer or Authorised Officer”. Even with an exemption and proactive checks, great care will be needed, of a sort that militates against the use of private enforcement companies, since there is a danger of exposure to the prejudices of enforcement officers, in that officers may not believe that a person riding a bicycle can be Disabled and unable to walk pushing a cycle.*

*I am at present unsure how to word a PSPO explicitly against riding an illegally modified eCycle/unregistered eMotorcycle. In the absence of other effective enforcement I would support a PSPO restriction, and note something similar to the Leicester wording would substantially improve the situation.*

*If a PSPO along the lines I have outlined (and including enforcement officers trained to ask 'are you able to dismount please' and asking it consistently), I would be happy for it to be extended to the entire area of map 1, thus reversing the current situation where those wishing to cycle without penalty and without risking being among road traffic are pushed onto the pavements surrounding the map 3 area, causing greater danger to pedestrians, especially on the High Street.*

#### *E-scooters*

*I am very aware that it is currently illegal to use an e-scooter in public space (unless part of a hire scheme, none of which operate in Bedford). As with other measures, there is a shortage of effective enforcement at present, and absent other effective enforcement I generally support a PSPO. However, I am also aware that the Government is likely to legislate to allow e-scooters to be used on some parts of public highways under some circumstances.*

*I am concerned that when legislative change is made, the PSPO will restrict behaviour that otherwise would be legal and which e-scooter users will expect to be permitted.*

*I have particular concerns that e-scooters and similar devices are, and will be, used by a proportion of Disabled people as mobility aids in the same way as cycles and e-cycles.*

*If and when e-scooter use on the highway is permitted by legislation, it will be important for Bedford's PSPO to avoid discriminating against Disabled people who use e-scooters as mobility aids.*

*I ask for the PSPO related to e-scooters to be drafted to take account of possible future legalisation (for example by saying that it only applies so long as use of e-scooters is independently not permitted by legislation in the defined area).*

#### *References*

*APPGCW, 2025 All Party Parliamentary Group on Cycling and Walking Active Travel and Social Justice Report (March 2025), p17.*

*<https://appgcw.org/resources/inquiries/active-travel-and-social-justice-report-2025/>*

*British Cycling, 2025 unpublished research quoted p11, APPG Cycling and Walking Active Travel and Social Justice Report (March 2025), see also p20 regarding gender-based harassment and aggression on roads, including London Cycling Campaign's data that 93% of women who cycled reporting drivers had deliberately used vehicles to intimidate them. <https://appgcw.org/resources/inquiries/active-travel-and-social-justice-report-2025/>*

*Cycling England, 2009 "A.07 Vehicle Restricted Areas" online at [https://www.cycling-embassy.org.uk/sites/cycling-embassy.org.uk/files/documents/cyclingengland/2011/01/a07\\_vehicle\\_restricted\\_areas.pdf](https://www.cycling-embassy.org.uk/sites/cycling-embassy.org.uk/files/documents/cyclingengland/2011/01/a07_vehicle_restricted_areas.pdf).*

*Government Analysis Function, 2023 "Questionnaire design guidance" <https://analysisfunction.civilservice.gov.uk/policy-store/questionnaire-design-guidance/>*

*Krosnick, JA 1999 "Maximising Questionnaire Quality" in Robinson et al eds Measures of Political Attitudes (San Diego, CA: Academic) <https://web.stanford.edu/dept/communication/faculty/krosnick/docs/1999/1999%20Maximizing%20questionnaire%20quality.pdf>*

*Osei, A & Aldred, R, 2023 "'You always think about what other people be thinking': Black men and barriers to cycling in London", Journal of Transport Geography, v108, <https://doi.org/10.1016/j.jtrangeo.2023.103576>.*

*Pal, A, 2025 "Cyclist who hit elderly woman in pedestrian area while trying to evade wardens in 'military-style combat uniforms' sentenced to 240 hours of unpaid work" <https://road.cc/content/news/cyclist-hit-woman-while-evading-wardens-military-uniforms-313869>*

*Wheels for Wellbeing, 2023 "Disability & Cycling Report of 2021 National Survey Results" <https://wheelsforwellbeing.org.uk/wp-content/uploads/2022/05/Disability-and-Cycling-Report-of-2021-national-survey-results.pdf>*

*Wheels for Wellbeing, 2025 "Submission from Wheels for Wellbeing to Call for Evidence by the Public Bill Committee on the Crime and Policing Bill: Evidence around PSPOs related to cycling"*

**EQUALITY ANALYSIS REPORT**  
**(V.11.2023)****Part 1**

<b>Subject:</b> Public Spaces Protection Order (PSPO) for Bedford Town Centre	<b>Committee meeting:</b> Executive / Executive Decision July 2025
<b>Service area:</b> Regulation, Housing & Customer Contact	<b>Is this activity:</b> <input checked="" type="checkbox"/> New
<b>Lead Officer Name and Title:</b> Sarah Stevens, Manager for Community Safety, Resilience & Flood Risk	<b>Other Officer name(s) and title(s) supporting in carrying out the Equality Analysis, undertaking any review or actions: (if applicable)</b>
<b>Approved by: (Director)</b> John Molyneux, Service Director Regulation, Housing & Customer Contact	<b>Date of approval:</b> July 2025

### **Policy/Procedure/Functions details**

Please refer to the Equality Analysis Guidance (EAG)

**Description of activity:** *Briefly give an outline of the key objectives and intended outcomes*

It is proposed to seek Executive approval to approve a new Public Spaces Protection Order (PSPO) to address persistent anti-social behaviour in Bedford Town Centre for a period of three years.

The proposed PSPO would look to address the following negative behaviours that are believed to cause harm and distress to those that live, work, study in or visit the area:

- a. Alcohol consumption
- b. Begging
- c. Use of illegal drugs or psychoactive substances
- d. Dangerous or aggressive cycling (incl. e-bikes)
- e. Riding an e-scooter or skateboard
- f. Spitting
- g. Urinating and defecating
- h. Accessing stairwells and rooftops of town centre car parks
- i. Littering in enclosed public spaces

If approved Authorised Officers would have additional powers to issue a fixed penalty notice to those that observe causing anti-social behaviour linked to the prohibited behaviours in the designated areas

**Who is/will be impacted by the activity's aims and outcome:**

A PSPO is a tool that can be used to address anti-social behaviours that are regularly reported to partners and have a detrimental impact upon their quality of life.

The PSPO is relevant to the priorities set out in Bedford Borough's Corporate Plan, which focuses on achieving social and economic growth.

Whilst it related to all priorities the PSPO is particularly relevant to 'Protecting the Environment' to deliver cleaner, greener and safer places and 'Stimulating Economic Growth in Bedford Borough' to create a town centre that all persons are proud to live in and excited to visit.

As such the PSPO will affect all persons that have reason to be in the designated areas, which may include those from protected groups. However, it should be noted that PSPOs are designed to address negative behaviours and are not targeted at specific persons.

### **Screening Test**

Consider carrying out the activity stated in the EAG, Section 4 (Questions to ask) that can help you with the screening test. The screening questions will help you decide if an equality analysis is needed. Also, look at your responses to the above Policy/Procedure/Functions Section to help you answer the following questions:

1. The activity relates to one or more of the three aims of the Council's Equality Duty.  <ul style="list-style-type: none"> <li>• <i>Eliminate unlawful discrimination, harassment and victimisation</i></li> <li>• <i>Advance equality of opportunity</i></li> <li>• <i>Foster good relations</i></li> </ul>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2. The activity sets out proposals for significant changes to services, policies etc. and / or significantly affects how services are delivered or presents a high risk to the Council's reputation	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
3. The activity could / does affect one or more of the protected characteristics or other relevant groups  <i>(Please refer to the EAG, Section 1 for further information)</i>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4. The activity could / does affect protected characteristics or other relevant groups differently	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
5. The activity relates to an area where there are known inequalities.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>



6. One or more protected characteristics or other relevant group could be disadvantaged, adversely affected or are at risk of discrimination as a result of the activity.	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
7. The activity can affect relations between certain protected characteristics and other relevant groups?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If you have ticked YES to one or more of the above questions, then you need to complete an equality analysis. Please continue to complete Part 2 of the form				

<p>8. If you ticked NO to ALL of the above questions then an equality analysis is not needed and briefly explain how the activity has no relevance to the Council's equality duties.  <i>Please refer to section 6 of the EAG for guidance.</i></p>

## **Part 2**

### **Evidence, data, information and consultation**

*Please refer to Section 5 of the EAG.*

<b>What evidence have you used to analyse the effects on equality?</b>	Public Consultation exercise was undertaken in March and April 2025 which had a specific question in relation the any impacts on protected groups.
<b>What consultation did you carry out with protected equality groups to identify your activity's effect on equality?</b>	Public consultation was shared and promoted with key stakeholders to encourage a representative response.  Face to face engagement in the town centre area was undertaken.

	Details of the proposed PSPO and the consultation exercise were shared with Commissioned health services for drug & alcohol and mental health in the Borough.
<b>What does this evidence tell you about the different protected groups?</b>	<p>The public consultation was completed by 656 respondents, of which 17 stated that they were completing the survey on behalf of an organisation and the remainder as an individual</p> <p>Where respondents were willing to provide details about themselves (400) 40% were female, 51% were male 9% selected other or prefer not to say.</p> <p>53% were White British, with a further 20.5% from White other groups. 7.5% were from Asian, Black and Mixed groups and 19% selected other or prefer not to say.</p> <p>When asked about health 23.8% said that they had a physical, mental or sensory health condition, 59.3% said they were not affected by the same conditions and 17% selected prefer not to say.</p> <p>The age breakdown of the respondents showed 3.5% were under 25, 36.3% aged between 26 and 54, 55.3% were aged 55 years or over with 5% selecting prefer not to say.</p> <p>The consultation included a question asking respondents if they felt that the proposed PSPO would have any impacts on any person from one of 10 protected groups.</p> <p>Small numbers selected all groups but there were two groups (Age and Disability) that were selected by a large number of respondents.</p> <ul style="list-style-type: none"> <li>• 38.4% felt that the PSPO would impact Age</li> <li>• 35.7% felt that the PSPO would impact Disability</li> </ul> <p>Respondents were also invited to give their reasons by way of an open text question. It was clear that concerns related to the banning of cycling in relation to these two groups.</p> <p>Respondents provided written comments suggested restricting cycling would adversely impact on young people who cycle to and from education settings and older or disabled persons who may find cycling easier than walking.</p>

	<p>Due to the concerns raised officers were asked to look for a restriction that focused on those that cause harm or distress by their dangerous or aggressive cycling.</p> <p>The final proposed PSPO <b>now includes the revised definition of ‘aggressive/dangerous cycling’</b>.</p> <p>A small number of comments reference persons who are street drinking or begging in the prohibited area that may also have poor mental health. Whilst mental health is not specifically listed as a protected characteristic it can be considered within the definition of Disability.</p> <p>The potential vulnerability of those that persistently commit anti-social behaviour has been observed by Police and Council Officers over recent years. As such the creation of a special referral process into a public health coordinated panel has been made available to any officers (Council or Police) that are delivering activity in relation to the PSPO that is used in parallel to any enforcement.</p> <p>A wide range of physical and mental health and wellbeing services, including specialist commissioned services for drug and alcohol misuse, work together to support those persons that are referred by Police and Council staff.</p> <p>The same Officers also work closely with commissioned services to ensure rapid support for anyone that may rough sleeping.</p>
<p><b>What further research or data do you need to fill any gaps in your understanding of the potential or known effects of the activity?</b></p>	<ul style="list-style-type: none"> <li>• Regular review of data for those persons being issued a FPN and compare to the Borough's demographic profile.</li> <li>• Review of appeals and any complaints that are received to see if they suggest any disproportionality in enforcement activity.</li> <li>• Ongoing review of referrals into the complex drinker panel.</li> <li>• Ongoing collection of data regarding perceptions of levels of anti-social behaviour in the town centre.</li> </ul>

## General Equality Duty

Which parts of the general equality duty is the activity relevant to?			
	Eliminate discrimination, harassment and victimisation	Advance equality of opportunity	Foster good relations
Age	X		
Disability	X		
Gender reassignment	X		
Pregnancy and maternity	X		
Race	X		
Religion or belief	X		
Sex	X		
Sexual orientation	X		
Marriage & civil partnership	X		
<b>Other Relevant Groups</b>			
Social-economic	X		
Care experienced people	X		
Carers	X		
Rural residents	X		

### Impact on Protected Characteristic and Other Relevant Groups

Based on the evidence presented what positive and negative impact will your activity have on equality?				
	Positive impact	Negative impact	No or neutral impact	Explanation
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The PSPO seeks to address behaviours which impact on all those who visit, live or work in the Town Centre. As such the proposals have the potential to bring a positive improvement to their experience of using the town centre regardless of their protected characteristic status.
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The PSPO seeks to address behaviours which impact on all those who visit, live or work in the Town Centre. As such the proposals have the potential to bring a positive improvement to their experience of using the town centre regardless of their protected characteristic status.
Gender reassignment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The PSPO seeks to address behaviours which impact on all those who visit, live or work in the Town Centre. As such the proposals have the potential to bring a positive improvement to their experience of using the town centre regardless of their protected characteristic status.
Pregnancy and maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The PSPO seeks to address behaviours which impact on all those who visit, live or work in the Town Centre. As such the proposals have the potential to bring a positive improvement to their experience of using the town centre regardless of their protected characteristic status.
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The PSPO seeks to address behaviours which impact on all those who visit, live or work in the Town Centre. As such the proposals have the potential to bring a positive improvement to their experience of using the town centre regardless of their protected characteristic status.
Religion or belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The PSPO seeks to address behaviours which impact on all those who visit, live or work in the Town Centre. As such the proposals have the potential to bring a positive improvement to their experience of using the town centre regardless of their protected characteristic status.
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The PSPO seeks to address behaviours which impact on all those who visit, live or work in the Town Centre. As such the proposals have the potential to bring a

				positive improvement to their experience of using the town centre regardless of their protected characteristic status.
Sexual orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The PSPO seeks to address behaviours which impact on all those who visit, live or work in the Town Centre. As such the proposals have the potential to bring a positive improvement to their experience of using the town centre regardless of their protected characteristic status.
Marriage & civil partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The PSPO seeks to address behaviours which impact on all those who visit, live or work in the Town Centre. As such the proposals have the potential to bring a positive improvement to their experience of using the town centre regardless of their protected characteristic status.

### **Other Relevant Groups**

	Positive Impact	Negative Impact	No or neutral Impact	Explanation
Social-economic	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The PSPO seeks to address behaviours which impact on all those who visit, live or work in the Town Centre. As such the proposals have the potential to bring a positive improvement to their experience of using the town centre. However, it is recognised that persons who choose not to comply with the restrictions are at risk of receiving enforcement action/FPN. That being said there will also regular education and advice communication and materials throughout the launch and duration of the Order.
Care experienced people	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The PSPO seeks to address behaviours which impact on all those who visit, live or work in the Town Centre. As such the proposals have the potential to bring a positive improvement to their experience of using the town centre
Carers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The PSPO seeks to address behaviours which impact on all those who visit, live or work in the Town Centre. As such the proposals have the potential to bring a positive improvement to their experience of using the town

Rural residents	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The PSPO seeks to address behaviours which impact on all those who visit, live or work in the Town Centre. As such the proposals have the potential to bring a positive improvement to their experience of using the town centre
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### **Commissioned services**

*Only complete if the activity is being commissioned. Please refer to Section 7 of the Equality Assessment Guidance*

<b>What equality measures will be included in Contracts to help meet the three aims of the general equality duty?</b>	n/a
<b>What steps will be taken throughout the commissioning cycle to meet the different needs of protected equality groups?</b>	n/a

### **Actions**

	<b>What will be done?</b>	<b>By who?</b>	<b>By when?</b>	<b>What will be the outcome?</b>
<b>Actions to lessen negative impact</b>	<p>Review signage to ensure that all persons entering the designated area are aware of the restrictions.</p> <p>Produce signposting materials for authorised officers to be provided to persons that may</p>	<p>Community Safety &amp; Resilience Team</p> <p>Community Safety Partnership</p>	Sept 2025	Ensure that education and awareness is delivered in parallel to any enforcement activity.

	benefit from additional support to reduce their ASB.			
<b>Actions to increase positive impact</b>	n/a			
<b>Actions to develop equality evidence, information and data</b>	Monitoring of the outcomes of the Complex Drinker Panel.  Monitoring data for FPNs issued.  Assessment of survey data regarding perceptions of safety in the Town Centre.	Community Safety & Resilience Team  Community Safety Partnership	Annual	Evidence gathered to determine whether protected groups are disproportionately impacted by the PSPO.
<b>Actions to improve equality in procurement / commissioning</b>	Consider performance outcomes of enforcement officers.	Community Safety & Resilience Team / Envirocrime	Annual	Evidence gathered to determine whether protected groups are disproportionately impacted by the PSPO.
<b>Other relevant actions</b>	n/a			

### **Recommendation**

<b>No major change required</b> <i>The evidence shows no negative effect or potential for discrimination.</i>	<input checked="" type="checkbox"/>	
<b>Adjustments required</b> <i>The evidence shows your activity requires changes or adjustments to ensure it does not negatively affect any protected equality groups or miss opportunities to affect them positively. Explain the reasons for the steps you are taking in the 'Summary of analysis' section below.</i>	<input type="checkbox"/>	
<b>Justification to continue the activity:</b>	<input type="checkbox"/>	



<p><i>Negative impact on equality has been identified, however your activity can continue because the activity does not unlawfully discriminate as there are reasonable factors that make it objectively justified (looking at legal facts only) to do so. If unsure, please seek guidance from EDI Officer.</i></p> <p><i>You will need to explain your justification in the 'Summary of analysis'</i></p>		
<p><b>Stop the activity-</b></p> <p><i>The equality analysis identified that your activity unlawfully discriminates and cannot be mitigated. This also cannot be objectively justified and your activity must stop.</i></p>	<input type="checkbox"/>	

### **Summary of analysis**

*Please refer to Section 8 of the Equality Analysis Guidance.*

<p>In preparing this report, due consideration has been given to the Borough Council's statutory Equality Duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of the Equality Act 2010.</p> <p>The purpose of the PSPO is to improve the quality of life for all who live, work, study in or visit the Town Centre by negative behaviours that cause anti-social behaviour and harm.</p> <p>There are associated support mechanisms and interventions in place to support any person found to be in breach of the Order.</p>
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### **Monitoring and review**

If approved the PSPO will remain in force for three years after which time, should an extension/variation be considered a new equality impact assessment will be required	July/August 2028
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**It is the responsibility of the service area to hold a copy of the final version of this Equality Analysis and to ensure that it is accessible upon request.**