Public Spaces Protection Order (PSPO) – ASB from motor vehicles

The Order:
https://www.rbkc.gov.uk/sites/default/files/atoms/files/Final%20Order%20Updated%20October%202015%20%282%29.pdf

Boundary Map:

1. Background
The PSPO was launched in November 2015 after numerous nuisance complaints were received from residents and following a consultation with residents and the Police in the Knightsbridge area of the Royal Borough.

The growing problem of ASB from motor vehicles in the area had increased over the previous few years. The main issue was the noise generated by “super cars” that were being driven through the area on an increasingly frequent basis. These vehicles are seen by many as status symbols and as is often the case, the louder the better. There are additional ASB issues such as sudden acceleration, loud stereo systems, illegal parking and congestion on the pavements caused by bystanders.

In 2014, the new Antisocial Behaviour, Crime and Policing Act came into force. This new legislation provided the Council with new powers, including the use of PSPOs. A consultation took place during 2015 and the PSPO that now operates was implemented.

2. Positives and Negatives
There have been successes with the PSPO, but also limitations. The positives and negatives are listed below.

Positives
- A 55% reduction in complaints from 2016 to 2017
- A 36% reduction in complaints via the dedicated PSPO email box from 2016 to 2017
- Dedicated PSPO patrols by the Council and Police
- Permanent traffic signage installed
- Temporary pedestrian signage installed
- At the busiest times for vehicle ASB, the Police utilised dispersal orders

Negatives
- The PSPO cannot completely eradicate the ASB
- Tackling foreign plated vehicles is exceptionally difficult
- Unfortunately, the relevant embassies were not prepared to engage with this initiative
- Council and Police officers cannot be present all the time. Both have numerous competing priorities across the 18 wards in the Royal Borough
- Some witness statements from the public have generally been of a poor quality. The general public do not have the evidence gathering skills that Council and police officers possess
- There are no powers under the PSPO to seize vehicles
3. Amendments to the current order

It is clear that the PSPO is a useful tool in helping to manage vehicle related ASB. There are two amendments we recommend, that will help improve our ability to tackle the ASB and make the enforcement more effective.

Amendment One

We have noticed an increase in complaints about the noise generated by pedicabs. The noise is a result of the stereo systems that the majority of them have housed within the pedicab. There are also parking and congestion issues created by pedicabs.

The Pedicabs (London) Bill was introduced to Parliament on 23 January 2018. The second reading of the Bill will take place provisionally on 26 October 2018. The Bill will enable Transport for London to licence pedicabs, their drivers and operators in a manner similar to the licensing regime applicable to Taxis.

Until such time that the Bill becomes an Act of Parliament the inclusion of pedicabs in the PSPO is the only way of controlling the noise generated by pedicabs.

We propose amending the order as below, with tracked changes highlighting the amendments:

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

   Between the hours of 12 noon and 6am in the location described in paragraph 2 of this Order anyone being the driver of a motor vehicle performs any of the following activities:

   (a) Revving of engine(s) (as to cause a public nuisance);
   (b) Repeated sudden and rapid acceleration (as to cause a public nuisance);
   (c) Racing;
   (d) Performing stunts (as to cause a public nuisance);
   (e) Sounding horns (as to cause a public nuisance);
   (f) Playing music from a motor vehicle (as to cause a public nuisance);
   (g) Using threatening, intimidating behaviour towards another person; and
   (h) Causing obstruction on a public highway, whether moving or stationary, including driving in convoy

In order to ensure that Pedicabs fall within the PSPO the use of the term “vehicle” will have to be defined in the PSPO to include “a pedal cycle, which includes a power assisted pedal cycle, or a pedal cycle in combination with a trailer, constructed or adapted for carrying one or more passengers”.

Amendment Two

The current boundary area is too big and encompasses locations where vehicle ASB is not present. The overwhelming majority of offences take place in the following streets:
• Basil Street
• Beauchamp Place
• Beaufort Gardens
• Brompton Road
• Egerton Gardens
• Hans Road
• Sloane Avenue
• Sloane Street
• Walton Street

As such, we recommend an adjustment to the boundary as detailed in the map below.

The area within the pink line would be the new boundary. The lined area would no longer be within the boundary. This will provide Council and Police officers a more focused area to concentrate on, which is a better use of the available resources.
4. The next steps

To consult with the relevant residents’ groups, other property owners and Councillors in the affected area (the wards of Brompton and Hans and Royal Hospital), the London Pedicab Operators Association and with the Police. Many of these groups will be contacted directly and the consultation will also be on the Council PSPO webpage. The Council will also promote the consultation via social media.

This consultation will take six weeks, at the end of which we will collate the feedback and then finalise the proposal.

We aim to be in a position to launch the amended extension for a further three-year period in mid-November 2018.