

Subject: Car Enthusiasts - Great Yarmouth Seafront

Report to: Housing and Neighbourhoods Committee 14th September 2016

Report by: Group Manager – Neighbourhoods & Communities

SUBJECT MATTER/RECOMMENDATIONS

To report on the current and ongoing issues around the escalation of unauthorised car and motorbike enthusiast events on Great Yarmouth seafront and proposed multi-agency response, including the implementation of a Public Space Protection Order by the Council.

1. INTRODUCTION/BACKGROUND

- 1.1 Car and motorbike rallies, advertised and organised via social media during 2016 have created a significant increase in the amount of car and motorbike enthusiasts arriving in Great Yarmouth for unauthorised 'events' along Great Yarmouth seafront, particularly on Sunday evenings. The Council and the Police have received a number of complaints from businesses, residents and tourists about the 'events'. This has been due to noise (sound systems, people shouting as well as engine noise, etc), fumes, obstruction on pavements and roadways, speeding, littering, wheel spins / stunts, feeling intimidated by both the vehicles/drivers and by the spectators who gather to spur the drivers to perform stunts and the fear of accidents – both between vehicles and between pedestrians and vehicles.
- 1.2 The above issues have existed for a number of years, but have now escalated given the increase in activity over the course of 2016. This has been fuelled through social media and the rise in 'unofficial events' resulting in enthusiasts travelling across the eastern region to attend. The Council has been leading problem solving efforts with the Police and Norfolk County Council to attempt to tackle the issues both in the short-term and long-term.

2. CURRENT ISSUES

- 2.1 The 'events' traditionally take place on a Sunday, with some starting at midday and others starting in the early evening. Car enthusiasts gather at the Pleasure Beach end of the seafront whilst motorbikes gather along the esplanade outside the Marina Centre.
- 2.2 The largest event so far was made up of over 1,500 cars in March at the Pleasure Beach end of the Seafront which gridlocked the seafront and

generated complaints about anti-social behaviour from the local businesses and residents about lack of access to their businesses (cars parking on the pavements), fumes, noise and people blocking the pavements. However, the Police reported that it was generally good natured with no arrests or fines issued on the day.

- 2.3 A multi-agency meeting was held in May to come up with an operational action plan ready for the next advertised event on Bank Holiday Monday (29th May). Strong police presence and council officer attendance was provided on the evening. The policing of the event was largely seen as a success, although residents continued to complain about noise and anti-social behaviour. The bank holiday was highly resource intensive from a staffing perspective across organisations and was not deemed sustainable on a weekly basis.
- 2.5 Alongside this operational approach, work around a long-term solution was taken forward by the Council working with the Police and NCC Highways team. This centred around the creation of a Public Space Protection Order (PSPO) led by Great Yarmouth Borough Council for the entire seafront and a new Traffic Regulation Order (TRO) led by Norfolk County Council to tackle both the vehicle and person related anti-social behaviour happening during the events. It was decided to split the issues across the two different types of Order because of the powers available under each type of order and who is delegated to enforce under each type of order. This is explained in more detail later in the report.
- 2.6 As part of these discussions, Highways informed partners that a new TRO to cover the slow lane/landau lane was already in progress, which would prohibit parking or stopping anywhere along the slow lane. This TRO went live on 26th August 2016 and enforcement will be carried out by Civil Parking Enforcement Officers (CPEO's), however CPEO's do not currently work late into the evening when many of these incidents occur.
- 2.7 No major 'events' have taken place since 29th May to date although smaller car enthusiast groups have visited and used the Seafront but not on the scale seen between February to May. Issues have however persisted escalating in a road traffic accident on Sunday 31st July. A significant number of complaints were received from businesses, residents and tourists relating to the anti-social behaviour that evening.
- 2.8 An emergency multi-agency meeting was called on 11th August involving agencies, the chairman of the Housing and Neighbourhoods Committee and ward councillors to discuss immediate and long-term proposals. The meeting

resolved that:

- Police presence increased on Sunday nights in the lead up to the August bank holiday weekend.
- Current issues with the barrier closure times of St Nicholas Car Park would be rectified.
- Norfolk County Council would seek to implement the agreed TRO for the slow lane by 26th August in time for the forthcoming bank holiday weekend.
- Great Yarmouth Borough Council would finalise a draft PSPO to tackle the ongoing ASB and launch a 28 day public consultation.
- A separate meeting be undertaken to look at the consistency of parking times along the seafront, to avoid exploitation of particular anomalies.
- The council would lead a communications strategy around providing public reassurance to local residents and businesses.

3. LEGAL POWERS TO ADDRESS CURRENT ISSUES

3.1 Traffic Regulation Orders (TRO's)

A TRO is the more appropriate legal tool to tackle parking and vehicle obstruction than including these issues in a PSPO as it is the primary legal tool for parking and motoring enforcement. A TRO is also thought to be the more cost effective long-term solution to the parking issues in the Pleasure Beach area. Only CPEO's are empowered to enforce under any TRO, including the new slow lane TRO. An infringement of regulations is dealt with by the issue of a Penalty Charge Notice in the first instance.

3.2 Other traffic offences

The Police are only empowered to deal with moving traffic offences on the highway or obstruction in very specific circumstances and not TRO infringements.

3.3 Public Spaces Protection Orders (PSPO's)

A PSPO is the most appropriate tool for tackling anti-social behaviour in this instance. CPEO's are not however currently delegated through the council to enforce against PSPO breaches.

The Police, Environmental Services, Housing, Planning and Licensing are empowered to enforce against breaches of a PSPO.

Breaches of PSPO's can be dealt with in two ways:

- Issue of a Fixed Penalty Notice (FPN)

- Issue of a breach notice which is then sent to GYBC for action / decision

A person breaching a PSPO can be issued with an on-the-spot FPN by the delegated council officers listed above.

The Council is the prosecuting authority for PSPO's, regardless of whether the Police or council officers deal with the breach.

4. A PROPOSED PUBLIC SPACE PROTECTION ORDER FOR VEHICLE RELATED ANTI-SOCIAL BEHAVIOUR

- 4.1 Based on examples of similar PSPOs implemented in other local authority areas and the particular circumstances relating to the anti-social behaviour associated with these activities in Great Yarmouth NP Law have drafted a Public Space Protection Order for consultation.

The order will cover the following behaviours:

- a) Driving a motor vehicle at excessive speed causing or being likely to cause a nuisance in the locality of the proposed PSPO area.
- b) When driving, causing repeated sudden and rapid acceleration of the motor vehicle causing or likely to cause a nuisance in the locality of the proposed PSPO area.
- c) Racing other motor vehicles.
- d) Performing stunts, including (but not limited to): wheel spins, doughnutting, drifts, handbrake turns.
- e) Sound vehicle horns for reasons not listed in the Highway Code.
- f) Playing amplified music from a motor vehicle likely to cause a nuisance.
- g) Using loud, threatening, abusive or other intimidating language or behavior.
- h) Dropping litter.

The proposed area will cover the entire length of Great Yarmouth sea front from the Seashore Holiday Park in the north to the entrance to the Port in the south and anticipated displacement routes within the immediate vicinity (map attached).

- 4.2 The consultation launched on 24th August and will run until 21st September. The council will need to give due consideration over a 2 week period to the consultation responses. The earliest therefore an order could come into place would be late October 2016. In order for the order to have maximum impact an initial enforcement phase over 6 consecutive weekends has been recommended to send a very clear message about the council's tolerance of

this kind of ASB. This will have immediate resource implications for both the council and the police.

5. FINANCIAL IMPLICATIONS

- 5.1 The establishment of a PSPO will have immediate financial implications for the council.

The council will have an obligation to provide appropriate signage within the designated area of a PSPO. The cost of doing this will approximately be in the region of £5,000-£7,000.

If the council chooses to delegate powers to enforce a PSPO to CPEOs there is an over-time staffing cost of £450 per Sunday evening for staff time (2 officers). This will not necessarily be recouped through the issuing of FPNs. If the council chooses to ask Environmental Services officers to undertake enforcement of this PSPO, there will be also overtime staffing costs for Sunday night working. There is also additional staff time for preparing paperwork should cases progress to court.

- 5.2 The establishment of a further TRO to address parking issues will cost approximately £5,000. NCC are exploring how they might be able to resource this work. A TRO will take approximately 8 to 9 months to implement.

6. RISK IMPLICATIONS

- 6.1 There are a number of risks for the council relating to the issues relating to seafront car enthusiasts. There is a clear risk to the safety of the public should these unauthorised events continue and further incidents occur.

- 6.2 Whilst it is clear that there is multi-agency responsibility for the range of issues presented by car enthusiasts on a reputational level the council is seen as the place-leader for the borough as noted by the number of complaints the council has received to date.

- 6.3 The implementation of a PSPO will also carry risk implications for the council should it not be executed correctly. Central to this will be ensuring the staff that enforce the PSPO have the appropriate training, resources and support. There are a number of issues relating to safety that have been raised by relevant service areas in relation to this.

- 6.4 All of the above risks will need to be considered and mitigated against before a PSPO comes into effect. This is currently being explored through the

council's Enforcement Board.

7. CONCLUSIONS

- 7.1 Several projects and operations have been attempted in the past to deal with this issue and have had varying levels of success – in late 2015 complaints had fallen to the lowest ever, due to a decrease in numbers of enthusiasts on the seafront. However 2016 has seen an escalation in the size of 'events' unlike anything seen for a number of years.
- 7.2 Existing powers and byelaws/legal orders available to agencies do not allow enforcement of all of the issues in the affected area and along the rest of the seafront.
- 7.3 The introduction of a PSPO presents an opportunity to tackle the anti-social behaviour associated with unofficial vehicle events. This will not prevent organised tourism events from occurring on the seafront. Enforcement of the order will be at the discretion of the council. A further Traffic Regulation Order around parking times will help to assist in enforcing issues relating to parked vehicles causing a nuisance for residents and local businesses.

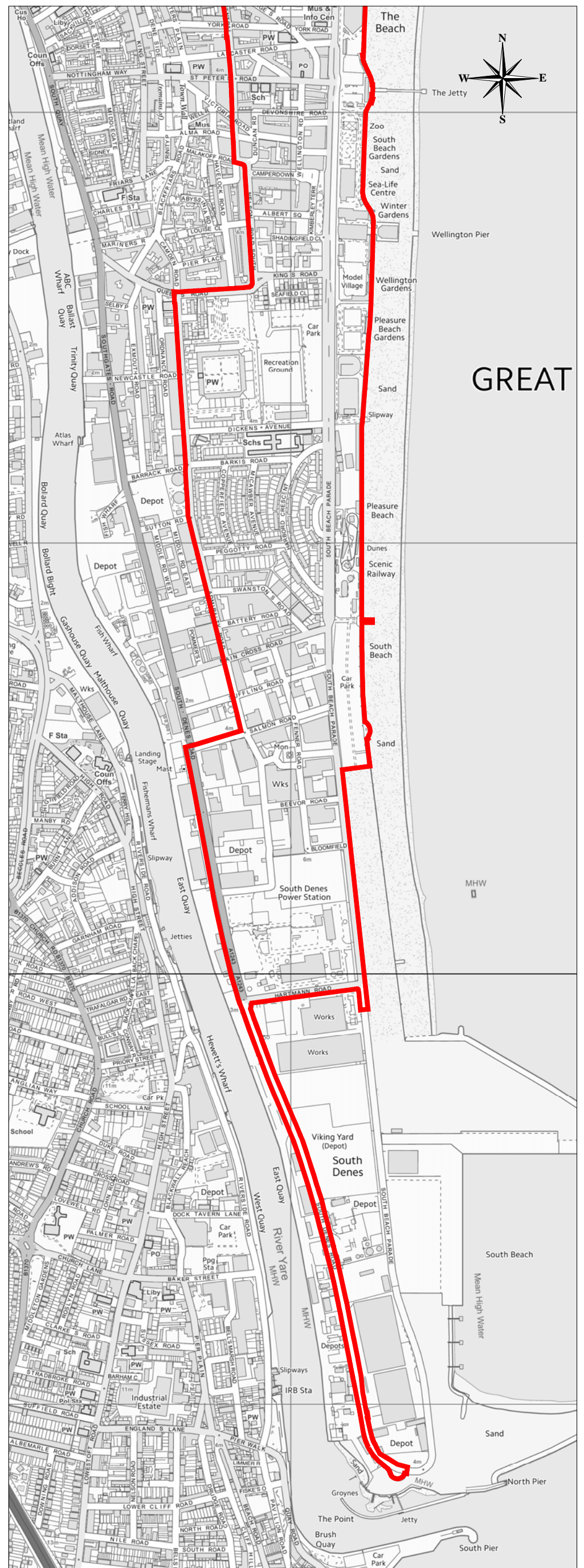
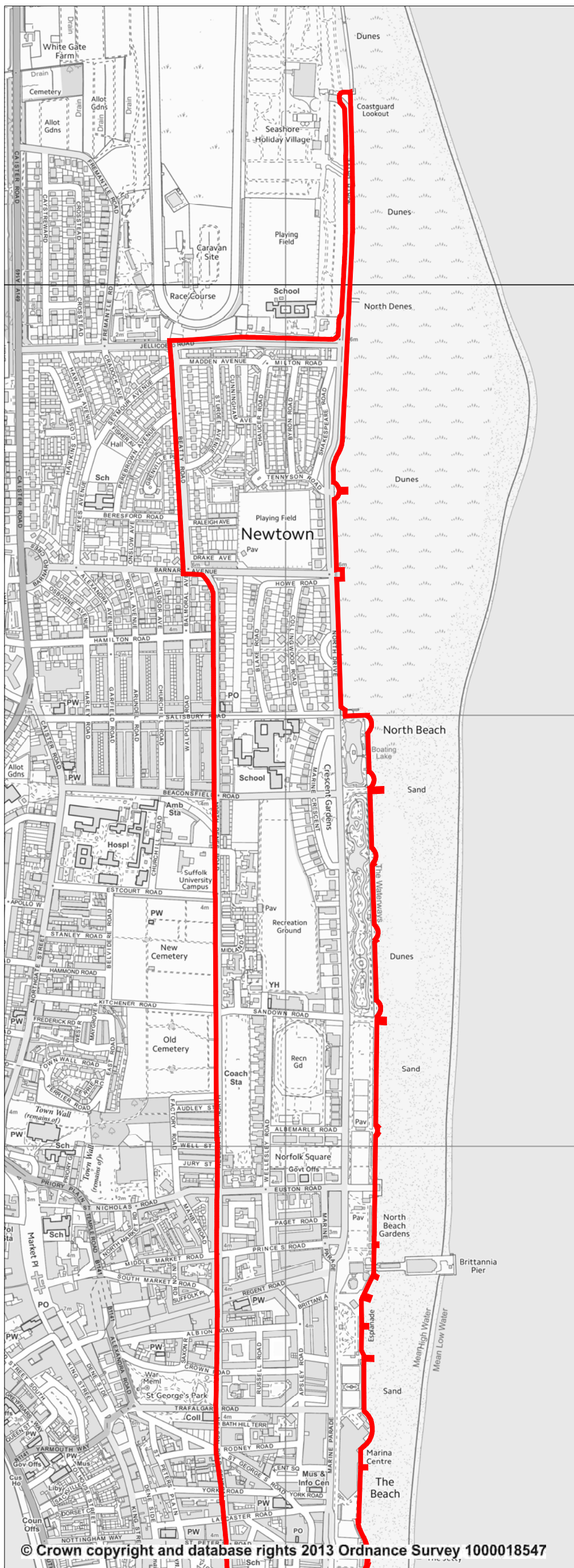
8. RECOMMENDATIONS

- 8.1 The Housing and Neighbourhoods Committee is asked to note the content of the report and the current issues and:
- a) approve additional set-up costs for signage associated with the implementation of a Vehicle- Related PSPO and approve upto £7,000 for associated signage.
 - b) noting the implications relating to resourcing the enforcement of a Vehicle-Related PSPO and the implications relating to enforcement of the current TRO.
 - c) The NCC position with regard to the implementation of further TROs.
- 8.2 It is recommended that the consultation findings and a further report on the implementation of the PSPO be brought to the next committee in October.

Area for consideration	Comment
Monitoring Officer Consultation:	Through EMT

Section 151 Officer Consultation:	Through EMT
Existing Council Policies:	
Financial Implications:	Costs relating to implementation of a PSPO.
Legal Implications (including human rights):	Public Consultation relating to the creation of a PSPO underway. NP Law leading creation of order.
Risk Implications:	Considered in the report.
Equality Issues/EQIA assessment:	Equality issues considered as part of the creation of a PSPO.
Crime & Disorder:	Relates to the conventions of the 2014 Policing, Crime and ASB Act.
Every Child Matters:	Not applicable.

Public Spaces Protection Order No 2, 2016
Great Yarmouth Seafront – Vehicle Related Anti-Social Behaviour



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