

## Appendix 1

### Public Space Protection Orders – barbecues, lanterns and balloons: analysis of responses to the public consultation

This report presents the results from the public consultation on introducing Public Space Protection Orders to restrict the use of single-use, disposable barbecues, lanterns and balloons.

#### Question 1 – “To what extent do you agree or disagree that the use of single-use, disposable barbecues cause problems for people, the environment and the council?”

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know / not sure
A local business	0	1	1	0	1	0
A local community or voluntary group	2	0	0	0	0	0
A local stakeholder	3	0	0	0	0	0
Resident of Brighton & Hove	438	80	18	31	55	1
Visitor	21	4	0	0	1	0
Other	11	0	0	1	1	1
<b>Total</b>	<b>475</b>	<b>85</b>	<b>19</b>	<b>32</b>	<b>58</b>	<b>2</b>
<b>Percentage</b>	<b>70.79%</b>	<b>12.67%</b>	<b>2.83%</b>	<b>4.77%</b>	<b>8.64%</b>	<b>0.30%</b>

#### Question 2 – “To what extent do you agree or disagree that the use of single-use, disposable barbecues should not be permitted in or on council-owned parks, open spaces and the seafront?”

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know / not sure
A local business	2	0	0	1	0	0
A local community or voluntary group	2	0	0	0	0	0
A local stakeholder	2	1	0	0	0	0
Resident of Brighton & Hove	436	56	9	24	98	0
Visitor	20	3	2	0	1	0
Other	11	0	0	0	3	0
<b>Total</b>	<b>473</b>	<b>60</b>	<b>11</b>	<b>25</b>	<b>102</b>	<b>0</b>
<b>Percentage</b>	<b>70.49%</b>	<b>8.94%</b>	<b>1.64%</b>	<b>3.73%</b>	<b>15.20%</b>	<b>0.00%</b>

#### Question 3 – “To what extent do you agree or disagree that a Public Space Protection Order should be introduced to stop the use of single-use, disposable barbecues in or on council-owned parks, open spaces and the seafront?”

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know / not sure
A local business	1	0	0	1	1	0
A local community or voluntary group	2	0	0	0	0	0
A local stakeholder	3	0	0	0	0	0
Resident of Brighton & Hove	418	58	15	29	102	1

Visitor	19	5	1	0	1	0
Other	11	0	0	0	3	0
<b>Total</b>	<b>454</b>	<b>63</b>	<b>16</b>	<b>30</b>	<b>107</b>	<b>1</b>
<b>Percentage</b>	<b>67.66%</b>	<b>9.39%</b>	<b>2.38%</b>	<b>4.47%</b>	<b>15.95%</b>	<b>0.15%</b>

**Question 4 – “To what extent do you agree or disagree that the release of lanterns and balloons outside causes problems for people, the environment and the council?”**

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know / not sure
A local business	3	0	1	0	0	0
A local community or voluntary group	2	0	0	0	0	0
A local stakeholder	3	0	0	0	0	0
Resident of Brighton & Hove	455	101	30	7	29	1
Visitor	25	1	0	0	0	0
Other	12	1	0	0	1	0
<b>Total</b>	<b>499</b>	<b>103</b>	<b>31</b>	<b>7</b>	<b>30</b>	<b>1</b>
<b>Percentage</b>	<b>74.37%</b>	<b>15.35%</b>	<b>4.62%</b>	<b>1.04%</b>	<b>4.47%</b>	<b>0.15%</b>

**Question 5 – “To what extent do you agree or disagree that the release of lanterns and balloons should not be permitted in or on council-owned parks, open spaces and the seafront?”**

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know/ not sure
A local business	2	0	1	0	0	0
A local community or voluntary group	2	0	0	0	0	0
A local stakeholder	3	0	0	0	0	0
Resident of Brighton & Hove	456	86	29	17	35	0
Visitor	25	1	0	0	0	0
Other	11	1	0	0	2	0
<b>Total</b>	<b>499</b>	<b>88</b>	<b>30</b>	<b>17</b>	<b>37</b>	<b>0</b>
<b>Percentage</b>	<b>74.37%</b>	<b>13.11%</b>	<b>4.47%</b>	<b>2.53%</b>	<b>5.51%</b>	<b>0.00%</b>

**Question 6 – “To what extent do you agree or disagree that a Public Space Protection Order should be introduced to manage the non-permitted release of lanterns and balloons should not be permitted in or on council-owned parks, open spaces and the seafront?”**

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know / not sure
A local business	2	0	1	0	0	0
A local community or voluntary group	2	0	0	0	0	0
A local stakeholder	3	0	0	0	0	0
Resident of Brighton & Hove	440	85	29	21	47	1
Visitor	23	2	0	0	1	0
Other	11	1	0	0	2	0
<b>Total</b>	<b>481</b>	<b>88</b>	<b>30</b>	<b>21</b>	<b>50</b>	<b>1</b>
<b>Percentage</b>	<b>71.68%</b>	<b>13.11%</b>	<b>4.47%</b>	<b>3.13%</b>	<b>7.45%</b>	<b>0.15%</b>

**Question 7 – “To what extent do you agree or disagree that a Fixed Penalty Notice of £100 should be issued if the Public Space Protection Order is breached?”**

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know/ not sure
A local business	1	0	1	1	0	0
A local community or voluntary group	2	0	0	0	0	0
A local stakeholder	3	0	0	0	0	0
Resident of Brighton & Hove	397	96	36	24	66	4
Visitor	23	2	1	0	0	0
Other	12	0	0	0	2	0
<b>Total</b>	<b>438</b>	<b>98</b>	<b>38</b>	<b>25</b>	<b>68</b>	<b>4</b>
<b>Percentage</b>	<b>65.28%</b>	<b>14.61%</b>	<b>5.66%</b>	<b>3.73%</b>	<b>10.13%</b>	<b>0.60%</b>

**Question 9 – “How are you responding to this consultation? As a...”**

Stakeholder	Count	Percentage
A local business	3	0.45%
A local community or voluntary group	2	0.30%
A local stakeholder	3	0.45%
Resident of Brighton & Hove	623	92.85%
Visitor	26	3.87%
Other	12	1.79%
No response	2	0.30%
Total	671	100%

**Question 8 – “Do you have any further feedback on the proposals?”**

Theme	Number	Comments
Consider communal barbecues	47	This will be followed up with other council services. There is presently no additional money to facilitate the introduction of communal barbecues.
Educate people about safe use and disposal	20	This will be completed through improved and updated information on the council website and signage across the city. People will still be able to use proper, stand alone, non-disposable barbecues which can be used on certain beaches, parks and open spaces.
Make fine higher ( <i>one of these suggested it should be £150 like littering</i> )	18	The £100 fine is the highest it can be under the legislation.
Complete Equality Impact Assessment and think about the implications for different groups of people	13	An Equalities Impact Assessment has been completed and is part of the committee papers.
Provide more bins and empty regularly	13	The PSPOs will be introduced to tackle the environmental problems and increased costs caused by inappropriate use and irresponsible non-disposal of single-use barbecues, balloons and lanterns. More bins will not resolve the issue.
If introduced, will it be effectively enforced?	12	There are eight Environmental Enforcement Officers who regularly patrol the city.
Work with businesses to stop them selling disposable barbecues	9	This can be followed up.
City wide ban for balloons and lanterns	6	Does the council have powers for a city wide ban? Would be so difficult to enforce.
Improve signage	5	This will happen.
This should not be a priority for the council	5	The PSPOs will be introduced to tackle the environmental problems and increased costs caused by inappropriate use and irresponsible non-disposal of single-use barbecues, balloons and lanterns.
Allow reusable barbecues in these areas	4	Reusable barbecues can continue to be used on certain beaches, parks and open spaces.
Ban sale of these items	4	The council does not have the powers to ban the sale of these items. The council can work with local businesses to discourage the sale of these items.
Consider barbecue hire	4	This will be followed up with other council services. There is presently no additional money to facilitate the introduction of barbecue hire.
Include fireworks	4	This can be followed up.
Introduce designated barbecue areas ( <i>one of these suggested for gas Barbecues only</i> )	4	These are already in place along the seafront.

Theme	Number	Comments
Promote eco-friendly alternatives to sky lanterns and balloons	4	This can be included in the updated web pages.
Provide effective educational campaign on restrictions and what the alternatives are	4	This can be included in the updated web pages.
Fine too high	3	The fine amount has been set in line with other offences within the Environmental Enforcement Framework.
Good communication campaign will be needed	3	This will form part of the implementation.
Lobby government to ban sales of balloons	3	This can be followed up.
Many bye laws not enforced, not sure these will be either	3	There are eight Environmental Enforcement Officers who regularly patrol the city.
Treat Barbecues as litter, not this	3	Anyone found leaving a barbecue behind on the beach will be issued with a FPN for littering. However, this is very difficult to enforce as those using them remain in situ for a long period of time and Environmental Enforcement Officers cannot wait around for individuals to leave. A PSPO is a much more effective way of dealing with single-use, disposable barbecues.
Allow on pebbles	2	Reusable barbecues can continue to be used on certain beaches, parks and open spaces
Ban all single use plastics in public places	2	Through the <a href="#">Carbon Neutral 2030 Programme</a> , the council is looking to develop and deliver an accreditation scheme to encourage businesses to end the use of single use plastics.
Ban in parks only	2	Significant issues are present on the seafront too.
Barbecues also lead to air pollution too	2	Agreed.
Consider alternatives before banning	2	Alternatives will be explored but there is presently no additional budget to introduce alternatives.
Prioritise balloons and lanterns, over barbecues	2	Noted.
Allow lanterns for burning of the clocks	1	Lanterns will be permitted for Burning of the Clocks, as long as they are not released.
Allow seafront team to enforce too	1	Seafront Team's focus is on water safety. They can ask members of the public to not use single use barbecues but do not have the enforcement powers.
Ban but keep the bins, just in case	1	The barbecue bins will remain in order for residents to responsibly dispose of charcoal from reusable barbecues.
Ban polystyrene on seafront sale too	1	Through the <a href="#">Carbon Neutral 2030 Programme</a> , the council is looking to develop and deliver an accreditation scheme to encourage businesses to end the use of single use plastics, including polystyrene.

Theme	Number	Comments
Council also needs to manage the use of commercial barbecues and fire pits situated close to the sea front	1	Some businesses do have fire pits and barbecues in their outside seating areas. These are not disposable barbecues.
Discount if paid promptly	1	A Fixed Penalty Notice may specify two amounts and specify that if the lower amount is paid within a specified period (less than 14 days) that is the amount of the Fixed Penalty. A discount is not recommended for this offence.
Does the seafront include the beach?	1	Yes
Employ more people to issue littering fines	1	There are eight Environmental Enforcement Officers who regularly patrol the city.
Exemptions for balloons/lanterns for the purposes of bereavement (i.e. a lantern/balloon release as part of a funeral/wake/etc).	1	The release of lanterns and balloons outdoors creates significant issues. They are impossible to dispose of in a safe way as the owner has no way of finding it, once released; for lanterns, there is no way of ensuring it is extinguished before reaching the ground. Both return to the ground as litter and can be ingested by animals, birds and marine wildlife, causing risk of death, injury and entrapment. If exemptions are agreed, this risk remains.
If barbecue bins are removed, will lead to more problems as no where safe to dispose if people do barbecue on beach	1	The barbecue bins will remain in order for residents to responsibly dispose of charcoal from reusable barbecues.
Include helium balloons	1	These are included; they cannot be released.
Introduce a community service style sanction where offenders have to complete a beach / outside space clean	1	The council works with the Probation Service on initiatives like this.
Introduce a council permit scheme for the release of lanterns and balloons	1	The release of lanterns and balloons outdoors creates significant issues. They are impossible to dispose of in a safe way as the owner has no way of finding it, once released; for lanterns, there is no way of ensuring it is extinguished before reaching the ground. Both return to the ground as litter and can be ingested by animals, birds and marine wildlife, causing risk of death, injury and entrapment. If exemptions are agreed, this risk remains.
Introduce a picnic license, where if you want to bring food, drink, barbecue onto the beach, you have to buy a pass. That pass gives to the ability to have your picnic at a given place on the beach and that if you leave rubbish behind, you get a £100 fine	1	Anyone caught littering is issued with a £150 FPN. Any licensing system requires additional resources for it to be managed effectively.

<b>Theme</b>	<b>Number</b>	<b>Comments</b>
Multiple offenders should be fined greater sums for second and subsequent breaches	1	The escalation process is to prosecute repeat offenders via the Magistrate's Court.
Provide taps on seafront next to barbecue bins	1	Showers and taps are available on the seafront, but not necessarily next to barbecue bins.
Should include Marine Flares	1	
Similar measures need to be included for council approved events too	1	This will be followed up with the events team.
The release of multiple lanterns or balloons at a single 'event' should attract multiple Fixed Penalty Notices e.g. on a per item / per adult basis.	1	Anyone found to be releasing balloons or lanterns in or on council-owned parks, open spaces and the seafront will be issued with a PSPO.
Waste packaging tax on any branded retailers produce left behind after their sale	1	This would require national legislation??

