

Proposed City Centre Public Space Protection Order – Trading Collecting and Obstruction

Consultation Review

Question 7

Proposed exclusion zone – 77.29% support

Reasons for not supporting it range from that it needs increasing to overall general rejection of the idea of a PSPO. Of the 67 respondents who did not agree with exclusion zone, 26 felt it should be extended, 23 did not make any comment on this matter but were broadly in support of the PSPO. The remain 18 who did not agree with the proposed zone were against the PSPO in general, and from the comments a number of these were in support of pedlars.

Comments in support of an increased zone:

Areas on and around Colmore row and pigeon park also need to be covered by the order.

The proposed exclusion zone should be extended to cover: The full length of: Colmore Row, Temple Row, Temple Row West, Waterloo Street, Bennetts Hill, Temple Street, Needless Alley, Cannon Street, Cherry Street, High Street, Bull Street

Temple street needs to be included, I get 'chugged' (mugged by charity workers) every day, it's tiresome and puts me off giving to charity.

The area covered should be larger including Colmore Row, Church area.

Area should be extended to Colmore row - it's particularly busy and will become the next point that these people gather.

The exclusion zone should be extended to include more of the city centre including Colmore Row and the roads leading to and from New Street to Colmore Row. The exclusion zone as it stands will only force movement to alternative areas.

Widen the area of application to the whole inner ring road. If not, all that will happen is the offending activities will move to other areas of the city centre and continue causing the same problems.

I think adding Colmore Row and Bull Street to the target area should be considered.

The area covered needs to include all of Cannon Street and Fore Street.

Comments against the zone (and the PSPO)

Stop being so tyrannical. Spend your money where it's needed, like healthcare and recycling - rather than creating problems where there are none.

Stop messing the city up. You lot in charge don't have a clue.

The right of the Pedlars to travel and trade is not a criminal offence, and this should be explained properly, so members of the public do not misunderstand the nature of a bona fida Pedlars, who is simply trying to make a honest living.

I believe the PSPO gives a negative image to pedlars.

No, I think it's all an idea that if passed will kill Birmingham City centre.

The use of the PSPO It's not in any way designed to stop peddling in my instance is supposed to be used for disruptive behaviour street drinking, begging etc, and to use it in the way you wish to will impede my ability to work the way I have done for over 20 years using my right as a peddler to travel from town to town.

I ask you to reconsider the order and amend the part of certified pedlars. I will challenge this to the high court if this unjust Pspgo goes through regarding certified pedlars.

Question 8

Proposed restriction on street trading without consent – 91.19% support (269/26)

Comments from the 269 respondents in support of this proposal. Note that some of the comments in this section appear to relate to pedlars who are street trading.

As long as the Christmas markets - Birmingham and German are not affected.

To restrict the number of traders clogging up the streets.

Council consent should greatly assist in controlling the issue.

Unlawful street trading is a significant issue that has failed to be adequately addressed by existing legislation and orders. In my judgement, unlawful street traders outnumber lawful ones on nearly every occasion I visit the area proposed be included in this PSPO, I therefore wholeheartedly support this prohibition.

The city centre has been out of control for a long time, especially High Street. Controls to make the city centre look and feel like a more welcoming, inclusive destination are long overdue.

Agree as so many Delboys out there.

Unregulated trading is a nuisance, takes up street space and folks get hassled.

People need to be able to trust the products that they are buying are genuine and not stolen. There are far too many unregistered trade men and women who seem to operate with impunity in the City Centre

I agree, there is no reason a legitimate vendor cannot get a council licence to trade, and those conducting street trading who refuse to get a licence are likely engaging in illegal activity such as VAT and tax evasion. There are a huge number of places to buy and sell items in Birmingham city centre, and they are taking away from legitimate vendors such as those in the rag market or indoor market.

I am sick to death of being constantly harassed when I am on my lunch break.

Don't want to be harassed, too many, not tourist or family friendly, they are aggressive.

At the moment the area is an unregulated mess off legal, illegal and obviously criminal individuals selling a variety of items.

It impacts local economy by not providing retailers the opportunity to sell genuine products and it creates a lot of crime/distress for customers who buy from peddlers merchandise that is later found to be counterfeit.

The flower man is taking business away from the store with dead flowers and blocking our entrance. Cheap and unchecked for safety toys sold outside our window. Rude perfume sellers.

It will help for legal serious business owners to trade.

The city centre is full of illegal street traders, pedlars, preachers etc. This makes it a highly unpleasant area to visit. It gives a sense of chaos, shabbiness, and threat. The general free for all is intimidating especially for a woman as you try and navigate a path through all the people shouting at you to buy their wares or approaching you. I have also seen a corn stall set up recently. This spills corn on the floor and no doubt attracts vermin and requires the Council to clean up after it. Legitimate businesses pay a lot to operate in the city centre and are being undermined by these illegal and criminal street traders.

Comments from the 26 respondents against this proposal.

Because you stifle free trade and free speech

I disagree because I believe the street traders have to make a living & make ends meet.

It brings atmosphere and something different to the city and town.

Street trading as I understand it requires a consent or some kind of permission from the local authority.

The reason I disagree this is to be included in these PSPOS is that there is already a system in place regarding street trading .

If they have a legitimate pedlars licence they should not have to get permission from the council.

Question 9

Proposed restriction on peddling goods or services – 88.47% support (261/34)

Comments from the 261 respondents in support of this proposal.

I'm never sure if they're genuine, and they can get quite abusive.

It's anti social, a nuisance and often intimidating.

The peddler's certificate is abused in the city centre and is effectively used to carry out street trading in all but name. They cause an obstruction and contrary to the peddler's legislation they approach member of the public to make a sale rather than the public approaching them. The peddlers'

certificates are also used by scammers who sell the armbands and give the impression they are raising the money for a charitable purpose.

The Shops are having a hard time as it is without people on the street trying to sell similar products.

There are too many 'peddlers' or as I prefer 'pesterers' operating in the City Centre, it is not like this in other cities it is time Birmingham steps up.

I agree, there are a huge number of places to buy and sell items in Birmingham city centre, and they are taking away from legitimate vendors such as those in the rag market or indoor market.

Strongly agree.

The city centre is too full of people trying to sell goods and services without a fixed location bringing the area down.

Peddling goods is a nuisance in the city centre.

Off-putting, overwhelming, and easily could be a scam.

It's currently a nightmare trying to get along New Street without being hassled, sometimes multiple times.

Support the local businesses who pay rent and rates.

The pedlars in the city centre are many in number and very intimidating. Also, I do not think some of them are pedlars as they do not move around, they just set out their stall and stay there all day.

With pedlar certificates issued across the country, there is a lack of control - especially around major events - with 'pedlars'. They do not stop to sell; they stop and sell - there is no movement or hawking, simply putting a wheeled trolley or pram down and setting up shop. More control is needed to make the city centre a more welcoming and perceived safer space.

Peddling is annoying and intrusive for many people.

Comments from the 34 respondents against this proposal.

I have never had a negative interaction with the peddlers on this street and strongly believe that their presence is part of the cultural heritage of Birmingham. They are easy to walk past if you are not interested in their products, and the street is wide enough to accommodate the regular traffic and peddlers. I frequently visit this area as it is near the train station I use to commute.

I disagree because I believe the peddlers have to make a living & make ends meet.

As a Pedlar for over 25 years, I feel that this would put my livelihood at great risk and feel that this is totally unfair As I have renewed my pedlars certificate every year and kept within the guidelines of being a Pedlar.

Peddler can bring unique atmosphere to town and Christmas time they have great ideas and great prices for children's novelty items.

If they have a pedlar licence, they should be able to operate. Rather concentrate on the dodgy perfume sellers.

Leave the peddlers as it they are not the problem.

This question, and the question above might easily direct the respondent to agree that authority to trade should be controlled by the council. Which would equate to a yes response to this question. But responding yes to this question revokes the pedlars act and will in effect wipe them out, as councils will not issue licences.

Not sure if someone who has a certificate and is peddling within the provisions of the Act should be targeted.

If someone is acting in compliance with the act and has a certificate, how can we prohibit them peddling?

Question 10

Proposed restriction on distribution of publicity materials/free literature/samples without consent – 82.71% support (244/51)

Comments from the 244 respondents in support of this proposal.

It causes a nuisance and litter problems with discarded literature and not a very nice Shopping experience.

I don't want leaflets they would go in the recycling bin. Or end up as litter on the pavement which we don't want.

There's just too much of it all the time.

Those distributing publicity materials/free literature/samples are contributing to the litter problem because often their free material ends up thrown on the floor, they often have loudspeakers which I believe are a form of anti-social behaviour. The city centre would be a much more pleasant place to visit without them. I think it also harms tourism, you don't see the level of distribution publicity materials/free literature/samples with loudspeakers in any other major city, and it seems they are almost trying to compete with each other by being as obnoxiously loud as they can, which just makes Birmingham city centre a worse place to visit. I have no doubt they are harming tourism.

Unsustainable, causes litter.

There is a whole Internet of information. If I choose to look for it I will. I do not want rubbish thrust upon me. Much of this is cast aside and enters landfill.

As above, religious, political, and charitable organisations should also be included in the order.

This legislation doesn't cover religious groups though, so 90% of the problem will be unaffected.

Outrageous & inappropriate leafleting promoting anti abortion & religious information across the city - guests of the hotel regularly complain it makes them feel unsafe & uncomfortable.

Causes litter and trying to avoid them is time consuming.

The majority of flyers, etc, end up being thrown onto the pavement by the people who have accepted them. It then makes the area look a mess.

I agree because most of the literature handed out is they fly tipped further down the street. They pose an obstruction to shoppers and can be very intimidating and aggressive.

Comments from the 51 respondents against this proposal. It should be noted that of these 23 objected to the proposal as they believed it did not go far enough, in that religious/charity groups should face the same restrictions.

The ones we want rid of you exempt, the ones we want that make the centre more attractive you ban? Where's the sense?

Nobody should be exempt. Birmingham should be free of all religious and charity promotion. People want to walk freely without the disruption this brings.

Registered charities, religious organisations, and distributors of leaflets for political purposes are exempt from this prohibition. Well, that's disappointing. Getting shouted at by various religions organisations is not exactly a highlight of a visit to town.

The vast majority of people who distribute pamphlets are doing so under the categories that are exempt from this prohibition. The few people who distribute material that doesn't come under these categories are largely polite and respect if you do not want to interact with them.

This is completely back to front. I have no problem with commercial samples being given out ie the coca cola truck. It should only target religious materials and religious preachers giving out 'free' materials. I have a massive problem with that and the banishing of all of them from Birmingham city centre should be the priority. To ban genuine marketing freebies while allowing the most annoying and intrusive harassment that everyone hates is absolutely insane!

It is not a problem to have companies providing samples ie lurpak giving us samples of butter. The problem is the religious people, charity workers and the politics driven harassment we receive constantly.

I disagree with this point as per the paragraph: "Registered charities, religious organisations and distributors of leaflets for political purposes are exempt from this prohibition unless they carry out these activities in a manner that obstructs, or impedes the passage of any other person on, the highway."

No one should be prevented from distributing leaflets unless proven to be grossly offensive. This smacks of an overreach of these powers in the context provided. If anything, it's the commercial leaflet distributors that should be prevented as they're the ones causing more a nuisance than anyone else.

Many students and creative people may want to use this as a way of promotion.

I disagree because I believe everyone should have the right to hand out leaflets.

The council should not be the auditors over freedom of speech, political thought, or simple advertising. A step too far in my view.

Question 11

Proposed restriction on Charity or commercial subscription collectors without consent – 91.53% support (270/25)

Comments from the 270 respondents in support of this proposal.

There are too many bogus collectors in the City and often cause issues and unpleasant to shoppers.

Utter menace.

They can be very intimidating and prey on the vulnerable too. They jump in front of you and are a pain in the neck.

Hound you on a daily basis and some don't take no for an answer.

It is difficult to navigate the city centre, on foot or by vehicle, without being inundated with requests for charity subscriptions, donations or even money from those experiencing homelessness. It really spoils the city centre as I often constantly feel guilty for saying 'sorry, no' and it puts me off from going into town.

There's too many doing the same thing, and a lot of these young people will stand in front of you to make you stop and talk to them.

These people are rude and pushy, this approach has worked really well elsewhere.

Don't give them a license. It's crippling the town centre. Charities have to find another way. This is just harassment.

This is more acceptable but should be limited. Often there are far too many in the city centre.

This is stopping me from going to the city centre.

These organisations should be given permission by the council to limit numbers.

As a lone woman I've been chased by men soliciting for charities, and even been subject to abuse when I walk on-it's awful trying to actually get errands done in the city centre because there are so many of these men and it's frightening.

Way too many people asking for money down New Street and High Street, have to dodge them all and very unwelcoming. I try to avoid this area as I don't enjoy been pestered one after another is too much. Glad the council are taking this seriously.

Collectors are way too aggressive and should be banned.

Trying to walk up New Street is like running a gauntlet. One charity person after another accosts you. It does not matter how nice they are, they should not be approaching people, we should go to them if we want to donate. How do we know if they are legitimate or not and where the money is going.

I agree, this has gotten out of hand. It's impossible to walk down New Street on a busy day without having people nearly chase you down asking for donations. I believe this leads people to give to certain charities, not because they believe in the cause and want to support it, but rather because they have been publicly harassed and shamed about it.

This is important to prevent fraud and protect vulnerable people from feeling pressurised into signing up to standing orders or direct debits they do not know how to cancel.

Comments from the 25 respondents against this proposal. There are some comments referring to not being a problem if regulated and limited, which the consent would cover.

Charities maybe ok if for a good cause.

I do think they should be limited but it feels unfair to ban charities. Maybe more regulation or mandatory training is a better solution.

Money collected for charity saves the government and councils money overall, if the collection is illegal or harassing there are already laws in place to stop this.

Without this, charities will fall into more disarray.

People have always collected for charity's, I don't mind if people are genuinely collecting so don't agree.

You should be able to collect for a bonafide charity.

Question 12

Proposed restriction on Charity or commercial subscription collectors without consent – 91.19% support (269/25)

Comments from the 269 respondents in support of this proposal.

Don't know if the money is going to legitimate charities.

My mental wellbeing suffers as I feel guilty for being unable to give to every single charity which asks. It's spoiling my visits to town and makes me not want to go in.

I agree, many people collecting cash are for illegitimate means and there should be a licencing system for them.

I agree charity cash or digital collections should be prohibited, although the exclusion zone should be increased to cover more of the city centre including Colmore Row and the roads leading to and from New Street to Colmore Row.

Needs to be forbidden. We do not want to be harassed constantly and everywhere.

Again, it should be issued by the council to limit numbers.

Hard to tell when they're authentic, could be easily mistaken as a scam.

People don't want to be chased down the street for cash.

I strongly agree that all collectors are approved to ensure there is no fraud. We should not stop collections just control them better.

I feel constantly harassed to stop and speak with individuals to pressure me into donations when they do not have the license to do so.

And BCC should heavily restrict licenses given out.

There are far too many of them about and it becomes intrusive.

Often blocking people passing by, had collectors put arms in the way and physically block me getting to bus to push for money.

Comments from the 25 respondents against this proposal. Some of the objectors thought there should be a full ban, and others referred to licences putting charities off due to cost (in fact consent for charitable collections is free).

Not the main problem.

They should be banned altogether.

A license could harm charities in a big way, people need charities help.

This would be the end of charity.

As above, blanket ban and no licenses granted.

You shouldn't require a licence or consent to do this.

I though permission would already be in place for collection of charity.

Question 13

Proposed restriction on obstruction of the highway without authority – 91.19% support (269/26)

Comments from the 269 respondents in support of this proposal.

Obstructions are bad for the disabled and the visually impaired.

Yes, it should be an offense to block the passage of anyone going about their legal business.

Pavements often blocked by stalls.

Little enough space as it is. Legitimate traders pay rates etc.

This can be intimidating and the people who setup do not seem to care about the access of ambulances or other emergency vehicles, get them gone.

I have seen some religious groups having 3 tables set up and so covering a large square footage area which then causes a bottle neck on the area.

I agree the path should be kept clear, I'm having to walk around tents in busy periods with my bad legs.

Very dangerous I agree with this being prohibited.

It's a nuisance to the public and causes crowding and is dangerous.

Already intensely busy area caused accidents and trips/falls.

In my experience and judgement, on almost any given day, there are groups obstructing the Highway within the proposed PSPO area, sometimes considerably more than one. The effect of just one such group can be problematic, but the cumulative impact can be even more significant to the experience of visitors, shoppers, residents and workers in the area.

Definitely, it is an obstacle course in the city centre with the illegal street sellers, pedlars and the "games" like lift a weight or punch a bag. It must be so difficult for the disabled and people with buggies to navigate this and it will surely cause an accident at some point. During the Christmas markets there were unauthorised marquees popping up from religious groups and also illegal street traders. This was really dangerous as there were so many people going in tides one way or another and then suddenly an obstacle/obstruction in front of you. You were tripping over each other and were one step away from a fall, all because someone had decided to sell something or preach in the middle of a walkway.

Comments from the 26 respondents against this proposal.

The language makes no mention of what obstruction or impediment looks like. This leaves space for over-zealous use by council officials and I would want to see clear definitions in place so that all parties can adjust to their surroundings. A group of people might be deemed an obstruction just for meeting and talking in the middle of a street.

No because these are the prime spots for street trading, peddling etc

Birmingham is a safe city anyway.

A pedlar has lawful right to cause an obstruction (Case Law). Most pedlars I know of who are asked by the police to move for any safety or common sense reason do so.

I don't see it as a problem. I always move if the event organisers or police or council request me to.

This needs clarifying and can affect to many innocent buskers and street entertainers.