



## **Boston Borough Council**

### **Delegated Decision Record**

This records a key or other decision taken by the Cabinet in accordance with the Council's Scheme of Delegations (as set out in Section 3 of Part 3 of the Council's Constitution).

Unless the Leader and the Chairman of the relevant Overview and Scrutiny Committee certify that the matter is so urgent that the normal five-day scrutiny delay on action should not apply, then this decision will come into force and may then be implemented on the expiry of five clear working days after the publication of the decision, unless called in under the call-in procedures as set out in Section E of Part 4 of the Council's Constitution.

Decision Maker	Cabinet
Report Title	Public Spaces Protection Order - wild bird feeding controls in designated areas of Boston Town Centre
Summary Background	To propose an effective enforcement approach to control the indiscriminate feeding of wild birds by the public, in designated areas of Boston Town Centre, following a period of mandatory public consultation.
Author / Contact Officer	Assistant Director - Regulatory <a href="mailto:christian.allen@boston.gov.uk">christian.allen@boston.gov.uk</a>
Ward(s) Affected	All Wards
Urgent?	No
Key Decision?	No
In Forward Plan?	Yes
Date of Decision	25 September 2024
Date Published	27 September 2024
Call-In Expiry	4 October 2024
Exempt Information?	No

Decision (Action Agreed)	<p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li><b>1. That the feedback from the Environment and Performance Committee be noted; and</b></li> <li><b>2. That the making of a Public Spaces Protection Order to implement wild bird feeding controls in designated areas of Boston Town Centre be approved.</b></li> </ol>
Reason(s)	<p>The Council have been made aware of concerns regarding the indiscriminate and excessive feeding of wild birds in Boston Town Centre and the detrimental impact of this on the infrastructure, buildings, public realm and heritage of Boston. The Council has sought to gauge public opinion on the introduction of mandatory controls and the results from this indicate the public are supportive. This position was presented to Environment and Performance Committee on 5th September for consideration and the feedback is attached at Appendix D to this report, for consideration by Cabinet.</p>
Options	<p>Since 1st January 2024 our environmental crime enforcement officers have been tasked to ask people not to feed wild birds in problematic locations in the Boston town centre.</p> <p>In collaboration with Boston Stump, the Council has recently installed temporary signs in and around the problematic locations in the town centre encouraging the public not to feed wild birds.</p> <p>Although the Council may use other powers within the Anti Social Behaviour Crime and Policing Act (namely the Community Protection Notice) or Section 87 of the Environmental Protection Act (Littering Legislation), this approach is non-specific and not targeted to the problems identified due to large numbers of wild birds in urban environments. To use these powers, which are not specifically tailored to tackle the problems associated with the indiscriminate feeding of wild birds in urban centres, exposes the Council to reputational risks.</p>
Further Information	N/A