

North Somerset Council Decision



Decision Of: Executive Member for Safety in the Community

With Advice From: Environmental Protection Service Leader

Directorate: Public Health and Regulatory Services

Decision No: PHRS017 2023/2024

Subject: Area Specific Public Space Protection Orders

Key Decision: No

Reason:

This decision is in relation to renewing and/or amending the localised Area Specific Public Space Protection Orders for individual parks and open spaces across the district. There are no changes or amendments that are considered to be significant in terms of their effect on communities living or working in an area comprising two or more wards in the area of the local authority.

Background:

Public Space Protection Orders (PSPOs) were introduced in North Somerset in October 2017 and are part of the Anti-Social Behaviour, Crime and Policing Act 2014. They are designed to deal with nuisances or problems in a public space that are detrimental to the local community's quality of life.

The orders are reviewed every three years, with the last review taking place in 2020.

This decision notice is only concerned with the localised Area Specific Orders. The decision to renew and make changes to them can rest with the relevant portfolio holder for PSPOs in accordance with the report to Council dated 21 February 2023. The report to Council dated 21 February 2023 can be found in background papers.

A key decision has already been made at the Executive Meeting of the 06 September 2023 to renew all the Area Wide Public Space Protection Orders which are deemed to be significant in terms of their effect on communities living or working in an area comprising two or more wards in the area of the local authority.

Decision:

To renew and/or amend the Localised Area Specific Public Space Protection Orders in accordance with section 60 of the Anti-social Behaviour Crime and Policing Act 2014 as set out in **Appendix 1**.

Reasons:

Public Space Protection orders are only valid for a period of three years from the date at which they were made. All orders in Appendix 1 will not be enforceable if they are not duly made in accordance with section 60 of the Anti-social Behaviour, Crime and Policing Act 2014.

Options Considered:

Not renew the existing localised Areas Specific PSPOs – PSPOs must be reviewed every three years. Failure to do so would result in the orders not being in force which will limit our ability to effectively deal anti-social behaviour in our public spaces.

Not introduce any new or amended PSPOs and just renew what we already have –

We have been working with councillors and officers from across council departments (including, for example, community safety, environmental health, parks, equalities, legal), police colleagues, external agencies and other key stakeholders, including Town & Parish Councils to help draft the Public Space Protection Orders (PSPOs) based on first-hand experience of having to handle antisocial behaviour issues within our communities. Failure to introduce the orders in line with the recommendations will limit our ability to effectively deal with the issues.

Financial Implications:

There is an ongoing requirement to maintain adequate signage at the locations affected by the orders.

Costs:

The costs of signage will be met through existing budget provision.

Funding:

N/A

Legal Powers and Implications:

PSPOs were brought in under the Anti-Social Behaviour, Crime and Policing Act in 2014. They were first introduced in North Somerset in 2017 and then renewed for a further three years in 2020. Approval of this decision will mean the orders will now be valid until October 2026. Any new or varied PSPOs can be challenged in the high court within a period of six weeks following introduction.

North Somerset Council has not been challenged on any of the orders that have been introduced to date. However, any new or amended PSPOs listed in Appendix 1 will be open to challenge within the first six weeks of adoption.

Revised guidance issued in March 2023 helps police and councils to continue to take appropriate action against nuisance behaviours while ensuring the most vulnerable, including the homeless, are not disproportionately targeted.

This guidance follows feedback from charities and other groups who raised concerns nationally that the orders were being used in some cases to disproportionately target certain groups in some areas rather than focusing on behaviour that is genuinely anti-social and causing others distress or alarm.

Concerns were raised around the use of the orders against the homeless, buskers, dog walkers and, in some cases, people simply gathering in small groups in town centres who were not engaged in anti-social behaviour.

The guidance puts greater emphasis on the need to ensure the powers are used to target specific nuisance behaviours and are not applied in a blanket way against specific groups or behaviour that is not in itself anti-social. It reminds councils that powers should not, for example, target normal everyday behaviour that is not having a detrimental effect on the community's quality of life.

Where young people are concerned, councils should think carefully about restricting activities that they are most likely to engage in. Restrictions that are too broad or general in nature may force the young people into out-of-the-way spaces and put them at risk. In such circumstances, councils should consider whether there are alternative spaces that they can use.

Any proposals considered for approval will be subject to legal review and approval before coming into force, any changes to wording which substantially alters the meaning of a provision will be subject to further consultation.

Climate Change and Environmental Implications:

The orders, whilst introduced mainly to tackle anti-social behaviour issues in our communities, they do also offer considerable benefit to the environment by tackling low level environmental crime

Consultation:

The council undertook a public consultation between 05 June 2023 and 30 July 2023. The consultation was hosted on the council's consultation system e-Consult.

A dedicated email inbox was set up and was monitored daily and paper copies were sent out on request.

The consultation was further promoted through press releases and social media coverage and through the councils own internal publication methods.

The council also consulted with Avon & Somerset Constabulary, including the Police and Crime Commissioner. The police and the council have shared information about the issues raised by our communities and will be working together through a Memorandum of Understanding (MoU) to enforce the PSPOs.

We have also engaged with Town & Parish Council's in whose areas these orders exist or are proposed.

The full details of the results are retained by the Safer Communities Enforcement Manager and Environmental Protection Service Leader.

Risk Management:

According to the risk scoring matrix as set out in the council's Risk Management Strategy, the risk is considered to be high if the recommendations set out in this decision notice are not implemented. This is because there will be a high possibility of adverse impact to residents in localised areas due to the prevalence of Anti-social Behaviour without adequate measures in place to control it. The recommendations if approved will mitigate this risk by maintaining our ability to effectively deal with Anti-social Behaviour in these parks and open spaces. Therefore if recommendations are approved, the residual risk is considered to be low/medium.

Equality Implications:

Have you undertaken an Equality Impact Assessment? Yes

An Equality Impact Assessment has been carried out as part of the 2023 review of Public Space Protection Orders a copy of it can be found with the papers of the meeting of the Executive dated 6 September 2023.

Corporate Implications:

The wide scope of this PSPO review is an example of a one council approach to tackling anti-social behaviour in North Somerset

Appendices:

Appendix 1 – List of Area Specific PSPOs for Approval

Background Papers:

Anti-Social Behaviour Crime and Policing Act 2014

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

Revised Statutory Guidance for frontline professionals

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1146322/2023_Update_ASB_Statutory_Guidance_-_FINAL_1_.pdf

Anti-Social Behaviour Action Plan 2023

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1157028/Anti-social_Behaviour_Action_Plan_March_2023.pdf

Government Public Space Protection Orders Guidance for Councils

https://www.local.gov.uk/sites/default/files/documents/10.21%20PSPO%20guidance_06_1_.pdf

Dealing with Irresponsible Dog Ownership – A Practitioners Manual

<https://www.gov.uk/government/publications/dealing-with-irresponsible-dog-ownership-practitioners-manual>

Report to the Partnerships, Corporate Organisation and Overview Management Policy and Scrutiny Panel - Date of Meeting: 02 March 2023

<https://n-somerset.moderngov.co.uk/documents/s4436/10%20Review%20of%20Public%20Space%20>

[20Protection%20Orders%202023.pdf](#)

Report to the Council - Date of Meeting: 21 February 2023

<https://n-somerset.moderngov.co.uk/documents/s4327/09%20Public%20Space%20Protection%20Orders%20-%20Delegated%20Authority.pdf>

Report to Executive – Date of Meeting: 06 September 2023

<https://n-somerset.moderngov.co.uk/documents/s5035/19.%20Public%20Space%20Protection%20Orders%20Review%202023.pdf>

North Somerset Council's Public Space Protection Orders

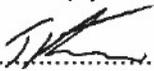
www.n-somerset.gov.uk/PSPO

Full Consultation Response Document

Available from Harry Mills Safer Communities Enforcement Manager or Dee Mawn, Environmental Protection Service Leader

Signatories:

Decision Maker(s):

Signed: 

Title: *Executive member for Safety in the Community.*

Date: *13 October 2023.*

With Advice From:

Signed: 

Title: *Environmental Protection Service Leader*

Date: *13 October 2023.*

Footnote: Details of changes made and agreed by the decision taker since publication of the proposed (pre-signed) decision notice, if applicable:

Area	Site	Restriction
Abbots Leigh	Abbots Pool	No Swimming, bathing, wading or jumping into the water this includes the use of boats, dinghy's, canoes, sailboards, inflatables in or on the water
Banwell	Banwell Recreation Grounds	No dogs allowed
Banwell	Banwell Scout Hut	No dogs allowed
Blagdon	The Clennon	All dogs on leads
Blagdon	The Mead	All dogs on leads
Blagdon	The Rocks	All dogs on leads
Bleadon	The Parish Allotment Site	All dogs on leads
Bleadon	The Village Cross Area	All dogs on leads
Bleadon	Coronation Hall	All dogs on leads
Bleadon	Mulberry Lane	All dogs on leads
Clevedon	Coleridge Vale Playing Field	All dogs on leads
Clevedon	Clevedon Promenade	All dogs on leads
Clevedon	The beach (adjacent to the pier)	No dogs allowed
Clevedon	Marine Lake	No dogs allowed
Congresbury	Broadstones Playing Field	All dogs on leads
Congresbury	Riverside Gardens	All dogs on leads
Congresbury	King George V Playing Field	All dogs on leads
Dundry	Hill Road Turning Circle	Gating Order to restrict access
Dundry	Dundry Village Recreation Ground	No dogs allowed
Hutton	Jubilee Sports Field	No dogs allowed
Hutton	Phippen Park	All dogs on leads
Hutton	Springwood Recreation Ground	All dogs on leads
Hutton	St Mary's Field	No dogs allowed
Kewstoke	Recreation Ground	No dogs allowed
Kewstoke	Playground	No dogs allowed
Locking	Parish Allotment Site	All dogs on leads
Locking	The Village Park	No dogs allowed
Long Ashton	Ashton Court Deer Parks	All dogs on leads
Long Ashton	Birdwell Recreation Ground	No dogs allowed
Long Ashton	Community Association Ground	All dogs on leads
Nailsea	Grove Playing Field	All dogs on leads
Pill & Easton-in-Gordano	Rudleigh Inn	All dogs on leads

Pill & Easton-in-Gordano	Court Hay Football Field	No dogs - except assistance dogs, or when passing and repassing along footpath
Pill & Easton-in-Gordano	Victoria Park	All dogs on leads
Pill & Easton-in-Gordano	Lodway Cricket Club	All dogs on leads
Pill & Easton-in-Gordano	Brookside Playing Field	No dogs allowed
Pill & Easton-in-Gordano	Hardwick Road Playing Field	No dogs allowed
Pill & Easton-in-Gordano	Parish Pitch –Macrae Road	No dogs allowed
Pill & Easton-in-Gordano	The Orchard	No dogs allowed
Portbury	Portbury Ponds	No dogs allowed
Portishead	Marina including Lockside Square	All dogs on leads
Portishead	Promenade	All dogs on leads
St Georges	Community Centre	All dogs on leads
St Georges	The Copse	No dogs allowed
St Georges	Football Pitch	No dogs allowed
St Georges	Village Play Area	All dogs on leads
Tickenham	Tickenham Village Field	No dogs allowed – exemption for the Annual Flower Show
Weston-super-Mare	Marine Lake	No dogs allowed
Weston-super-Mare	Drove Road Recreation Ground	No dogs allowed
Weston-super-Mare	Baytree Recreation Field	No dogs allowed
Weston-super-Mare	Promenade	All dogs on leads
Weston-super-Mare	Clarence Park West	All dogs on leads
Weston-super-Mare	Grove Park	All dogs on leads
Weston-super-Mare	Beach	No dogs allowed
Weston-super-Mare	High Street	All dogs on leads
Weston-super-Mare	Worle Recreation Grounds	All dogs on leads

Weston-super-Mare	Hutton Moor	All dogs on leads
Weston-super-Mare	Seafronts	General ASB, Sky Lanterns, Illegal Encampments
Weston-super-Mare	Town Centre	Charitable Collections without permission
Weston-super-Mare	Princess Royal Square	No skateboarding, scootering or rollerblading
Winford & Felton	Raglan Field	No dogs allowed
Winford & Felton	Vee Lane Playing Field	No dogs allowed
Winscombe & Sandford	Longfield	No dogs allowed
Winscombe & Sandford	War Memorial Recreation Ground	No dogs allowed
Wroughton	Christchurch Churchyard	No dogs allowed
Wroughton	Silver Street Recreation Ground	All dogs on leads
Yatton & Claverham	Broadcroft	No dogs allowed
Yatton & Claverham	Hangstones Playing Field	No dogs allowed
Yatton & Claverham	Rock Road Recreation Ground	No dogs allowed