

## **Public Spaces Protection Orders**

**Purpose** Designed to stop individuals or groups committing anti-social behaviour in a public space.

**Who can make a PSPO** • Councils issue a Public Spaces Protection Order (PSPO) after consultation with the police, Police and Crime Commissioner and other relevant bodies.

**Test** Behaviour being restricted has to: • be having, or be likely to have, a detrimental effect on the quality of life of those in the locality; • be persistent or continuing nature; and • be unreasonable.

**Details** • Restrictions and requirements set by the council. • These can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times. • Can restrict access to public spaces (including certain types of highway) where that route is being used to commit anti-social behaviour. • Can be enforced by a police officer, police community support officers and council officers.

**Penalty on breach** • Breach is a criminal offence. • Enforcement officers can issue a fixed penalty notice of up to £100 if appropriate. • A fine of up to level 3 on prosecution.

**Appeals** • Anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue. • Further appeal is available each time the PSPO is varied by the council.

**The legislation** Sections 59 to 75 of the Anti-social Behaviour, Crime and Policing Act 2014.

**Protecting the vulnerable** • Consideration should be given to how the use of this power might impact on the most vulnerable members of society. • Consideration should also be given to any risks associated with displacement, including to where people may be dispersed to • There is value in working in partnership to resolve ongoing problems and find long term solutions