



Your ref

Our ref PG/PSPOS

Date 1 February 2016

Please ask for Phil Gore

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To: All Town & Parish Clerks
Suffolk Coastal District

Dear Town/Parish Clerk

PUBLIC SPACE PROTECTION ORDERS ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

In October 2017 a number of Byelaws and Orders that currently exist to control anti-social behaviour will be repealed. If ongoing control is required it will be necessary to replace them with Public Space Protection Orders (PSPOs) made under the Anti-Social Behaviour, Crime & Policing Act 2014. Examples include existing dog controls which prohibit dog fouling on public open spaces and some areas where drinking alcohol in public is restricted by Designated Public Space Orders made under the Criminal Justice & Police Act 2001.

The purpose of this letter is to seek your views regarding any issues of anti-social behaviour in public open spaces within your parish or town which may need to be considered for control by a PSPO. Where there is sufficient evidence of a persistent problem or the likely occurrence and persistence of a problem in the future there may be grounds for considering a PSPO. The process of making a PSPO requires a formal period of consultation which will take place in 2017 prior to consideration and adoption by Suffolk Coastal District Council's Cabinet.

PSPOs are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. The Order may also be used to deal with likely future problems.

Before issuing a PSPO the Council is required to consult with the Chief Police Officer, the Police Crime Commissioner and any representatives of the local community they consider appropriate. The test for issuing an Order will be that the local authority reasonably believes that the behaviour is detrimental to the local community's quality of life and that the impact merits restrictions being put in place. The behaviour must also be ongoing or persistent or there must be a reasonable belief that the future behaviour will be ongoing or persistent.

The Order must clearly state what behaviour it is seeking to prevent, what the prohibitions or requirements are in the specified area and that the local authority believes they will remedy the problem, the specific area itself and the consequences of not complying. The Order must be in writing and it must be published. Reasonable signage must be put up in the areas affected and the Order will remain in place for up to three years and will require renewal at the end of each three year period. A breach of the Order without reasonable excuse would be a criminal offence, subject to a fixed penalty notice or prosecution. On summary conviction an individual would be liable to a fine not exceeding level 3 (currently set at £1,000).



We are taking this opportunity to invite feedback on any particular issues in your area that you feel might meet the test for issuing a PSPO. Please provide details of the public open spaces affected and evidence of any persistent anti-social behaviour occurring in that area by the 17 March 2017.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Phil Gore', with a large, sweeping initial 'P'.

Phil Gore
Head of Environmental Services & Port Health



PUBLIC SPACE PROTECTION ORDER

Anti Social Behaviour Crime & Policing Act 2014 2016/15 – Exclusion of Dogs from Felixstowe Beach

Notice is hereby given that the **Suffolk Coastal District Council** in exercise of its powers under Section 59 of the Anti Social Behaviour, Crime and Policing Act 2014 ("The Act") makes the following Order:

1. Duration:

The Order shall come into force on ##### and shall have effect for a period of three years thereafter, expiring on ##### unless extended by further orders.

2. The Restricted Area:

The Order applies to the area of beach northwards from an imaginary line at right angles to the promenade, through a point opposite the Centre Point of Arwela Road at Grid Reference TM 2969 3370 to an imaginary line at right angles to the promenade, from a point opposite the South-Eastern Corner of the Spa Pavilion at Grid Reference TM 3060 3445, including any slope or staircase leading to the beach from the promenade, as shown on the attached plan.

3. Persons to whom this Order applies:

The Order applies to all persons within the Restricted Area at all times of the day and night.

4. The Activity:

The Council is satisfied that the conditions set out in Section 59 of the Act have been satisfied and that allowing dogs onto the beach in the Restricted Area ("the Activity") has a detrimental effect on the quality of life of those in the locality. Further, the Council is satisfied that the effect of the Activity is or is likely to be of a persistent or continuing nature and is or is likely to be such as to make the Activity unreasonable and the effect justifies the restrictions imposed.

5. Prohibitions:

In pursuance of section 59 of the Act, the Council therefore prohibits the "Activity" within the "Restricted Area" for the period commencing 1st May and ending 30th September (inclusive) each year.

6. Exemptions:

This order shall not apply to any person who:

- i. is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- ii. is for the time being in charge of an Assistance Dog registered with Assistance Dogs UK and upon which he relies for assistance.

7. Offences

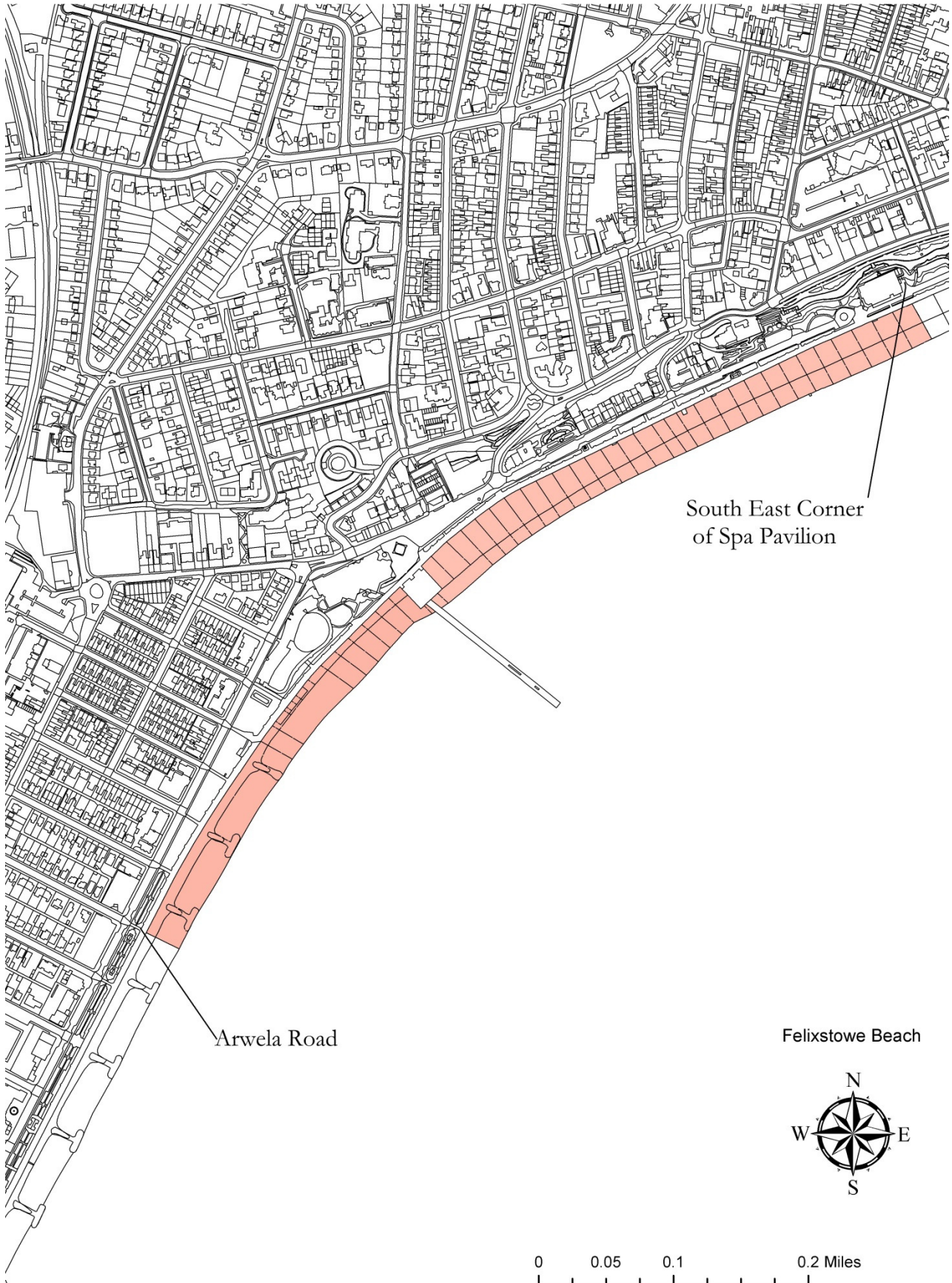
- i. Failure without reasonable excuse to comply with the prohibitions imposed by this Order, as set out at point 5 above is a criminal offence.
- ii. A person guilty of such an offence, under section 67 of the Act, is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- iii. Alternatively, at the Council's discretion, a person believed to have committed an offence may be offered the opportunity to discharge liability for prosecution by paying a fixed penalty of £80.

Signed/Sealed:

Dated:

PUBLIC SPACE PROTECTION ORDER

Anti Social Behaviour Crime & Policing Act 2014
2016/15 – Exclusion of Dogs from Felixstowe Beach





PUBLIC SPACE PROTECTION ORDER

Anti Social Behaviour Crime & Policing Act 2014 2016/16 – Dog Fouling

Notice is hereby given that the **Suffolk Coastal District Council** in exercise of its powers under Section 59 of the Anti Social Behaviour, Crime and Policing Act 2014 ("The Act") makes the following Order:

1. Duration:

The Order shall come into force on ##### and shall have effect for a period of three years thereafter, expiring on ##### unless extended by further orders.

2. The Restricted Area:

The Order applies to all land in the District which is open to the air and to which the public are entitled or permitted to have access (with or without payment) including (but not restricted to) commons, beaches, highways, footpaths, verges, car parks, pedestrianised areas, promenades, sports fields and pitches, village or town greens, play areas, parks, gardens and other community amenity space. (the "Restricted Areas").

3. Persons to whom this Order applies:

The Order applies to all persons within the Restricted Areas at all times of the day and night.

4. The Activity:

The Council is satisfied that the conditions set out in Section 59 of the Act have been satisfied and that the requirement specified below shall apply to any person for the time being in control of a dog which defecates on land in a Restricted Area. Further, the Council is satisfied that the effect of the Activity is or is likely to be of a persistent or continuing nature and is or is likely to be such as to make the Activity unreasonable and the effect justifies the restrictions imposed.

5. Prohibition/Requirement:

In pursuance of section 59 of the Act, the Council therefore requires persons for the time being in control of a dog within a Restricted Area to remove all faeces deposited by the dog forthwith.

6. Exemptions:

This order shall not apply to any person who:

- i. has a reasonable excuse for failing to comply. Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having suitable means of removing the faeces shall not be a reasonable excuse for failing to comply with this order.
- ii. is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- iii. is for the time being in charge of an Assistance Dog registered with Assistance Dogs UK and upon which he relies for assistance.

7. Offences

- i. Failure without reasonable excuse to comply with the prohibitions imposed by this Order, as set out at point 5 above is a criminal offence.
- ii. A person guilty of such an offence, under section 67 of the Act, is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- iii. Alternatively, at the Council's discretion, a person believed to have committed an offence may be offered the opportunity to discharge liability for prosecution by paying a fixed penalty of £80.

Signed:
Dated:



PUBLIC SPACE PROTECTION ORDER

Anti Social Behaviour Crime & Policing Act 2014 2016/17 – Dogs in Children's Play Areas

Notice is hereby given that the **Suffolk Coastal District Council** in exercise of its powers under Section 59 of the Anti Social Behaviour, Crime and Policing Act 2014 ("The Act") makes the following Order:

1. Duration:

The Order shall come into force on ##### and shall have effect for a period of three years thereafter, expiring on ##### unless extended by further orders.

2. The Restricted Area:

The Order applies to all gated and fenced children's play areas in the Suffolk Coastal District.

3. Persons to whom this Order applies:

The Order applies to all persons within the Restricted Area at all times of the day and night.

4. The Activity:

The Council is satisfied that the conditions set out in Section 59 of the Act have been satisfied and that causing or allowing dogs to enter the Restricted Areas ("the Activity") has or is likely to have a detrimental effect on the quality of life of those in the locality. Further, the Council is satisfied that the effect of the Activity is or is likely to be of a persistent or continuing nature and is or is likely to be such as to make the Activity unreasonable and the effect justifies the restrictions imposed.

5. Prohibitions:

In pursuance of section 59 of the Act, the Council therefore prohibits the "Activity" within the "Restricted Area"

6. Exemptions:

This order shall not apply to any person who:

- i. is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- ii. is for the time being in charge of an Assistance Dog registered with Assistance Dogs UK and upon which he relies for assistance.

7. Offences

- i. Failure without reasonable excuse to comply with the prohibitions imposed by this Order, as set out at point 5 above is a criminal offence.
- ii. A person guilty of such an offence, under section 67 of the Act, is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- iii. Alternatively, at the Council's discretion, a person believed to have committed an offence may be offered the opportunity to discharge liability for prosecution by paying a fixed penalty of £80.

Signed:

Dated: