

Further information about Public Spaces Protection Orders

The power to make Public Spaces Protection Orders (PSPOs) was introduced under the Anti-Social Behaviour, Crime and Policing Act 2014. The local authority can make a PSPO to prohibit or restrict activities that have, or will have, a detrimental effect on the quality of life of those in the locality, is persistent or continuing in nature and unreasonable.

Amongst these powers are Public Spaces Protection Orders (PSPOs), which are designed to stop individuals or groups of people committing anti-social behaviour in a public space. It is for each local authority to determine what behaviour(s) they may want to make the subject of a Public Spaces Protection Order. However, the overarching considerations when considering a Public Spaces Protection Order is whether the activity has, or will have, a detrimental effect on the quality of life of those in the locality, is persistent or continuing in nature and unreasonable.

The PSPO can:

- Prohibit specified things being done in the area
- Require specified things to be done in the area

The prohibitions or requirements can be framed so that they:

- Apply to all persons, or only persons in specified categories, or to all persons except those in specified categories
- Apply at all times, or only at specified times, or at all times except those specified
- Apply in all circumstances, or only in specified circumstances, or in all circumstances except those specified

The following conditions must be met before making the order:

- Activities carried out in a public place within the local authority's area have a detrimental effect on the quality of life of those living in the locality OR
- It is likely that activities will be carried out in a public place within the area that will have such an effect

The effect, or likely effect, of the activities:

- Is, or is likely to be, of a persistent or continuing nature and
- Is, or is likely to be, such as to make the activities unreasonable

And justified the restrictions imposed by the Order.

Breach of a PSPO 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 on the standard scale (currently set at £1,000).

When PSPOs are made they must be published on the council website, and sufficient signs erected on or adjacent to the public places to which the order relates.