

Information sheet: what you need to know before responding to the consultation

Purpose of the document

North Somerset Council is reviewing its current Public Space Protection Orders (PSPOs). These orders are used to deal with specific and persistent anti-social behaviour (ASB) in public places. Because PSPOs can only last for up to three years, they must be reviewed before the Council decides whether to renew them, change them, or remove them.

We are asking residents for feedback on anti-social behaviour across North Somerset. Your views will help us understand what is happening in different areas and whether any updates to the PSPOs are needed. This helps make sure the orders remain fair, proportionate, and focused on the right issues.

This document explains what Public Space Protection Orders are, how they work, and what they can and cannot do. It is designed to help you give an informed response to the consultation.

Contents

- [1. What is a Public Space Protection Order \(PSPO\)?](#)
- [2. What PSPOs can and cannot do](#)
- [3. What are the areas covered by a PSPO?](#)
- [4. Who enforces PSPOs and how enforcement works](#)
- [5. What happens when officers enforce a PSPO?](#)
- [6. Can a Fixed Penalty Notice be challenged?](#)
- [7. Why issues may still occur even when a PSPO is in place](#)
- [8. Could these orders affect people who may already face additional challenges?](#)
- [9. Do the PSPOs increase stop and search by the police?](#)
- [10. Why your feedback matters](#)
- [11. What this consultation can and cannot do](#)
- [12. How your feedback will be used](#)
- [13. Can a PSPO be challenged once it is in place?](#)
- [14. Where to find more information on PSPOs](#)

1. What is a Public Space Protection Order (PSPO)?

A Public Space Protection Order (PSPO) is a power given to councils under the Anti-Social Behaviour, Crime and Policing Act 2014. It allows councils to address specific nuisance or problematic behaviours that negatively affect the quality of life of people in a defined area.

PSPOs are intended to help ensure that the law-abiding majority can use and enjoy public spaces without disruption from anti-social behaviour. They allow councils to introduce restrictions or requirements within a particular location, and these apply to everyone in that area.

North Somerset Council has used PSPOs since 2017 to tackle issues such as street drinking and dog control in areas where these behaviours have caused persistent problems. A PSPO can remain in force for up to three years, and any proposal to extend or amend it must be publicly consulted on.

PSPOs are used to address specific, ongoing issues in public places by setting clear and proportionate rules to help keep these spaces safe, welcoming, and respectful for all users.

Examples include:

- **Dog control:** Requiring dogs to be kept on leads in busy areas or creating dog-free zones in children's play areas.
- **Alcohol-related issues:** Allowing police or authorised officers to require someone to stop drinking alcohol in places where street drinking repeatedly causes nuisance or safety concerns.
- **Access restrictions:** Temporarily restricting entry to areas that have become hotspots for anti-social behaviour, littering, or vandalism.
- **Protecting wildlife:** Requiring dogs to be kept on leads in areas where wildlife, such as deer or ground-nesting birds, may be at risk.
- **Reducing nuisance behaviour:** Introducing rules in locations affected by repeated disruptive behaviours, such as late-night noise or misuse of public spaces.

These examples show the types of specific, evidence-based issues that PSPOs are designed to manage. They do **not** restrict normal, everyday activities - people can continue to meet friends, walk their dogs, play, socialise, and enjoy public spaces as usual.

2. What PSPOs can and cannot do

PSPOs are not designed to punish people. Their purpose is to protect shared spaces and support community wellbeing.

A PSPO **cannot**:

- be used to target or criminalise people who are sleeping rough

- regulate behaviour on private land or places not open to the public
- restrict normal, everyday activities in public places
- stop people of any age from gathering, talking, meeting friends, or playing games
- control behaviour that is lawful, reasonable, and not causing persistent harm or nuisance

PSPOs must be based on clear evidence of specific problems. They are not used to limit how people normally use and enjoy public spaces.

Some rules apply across all public spaces in North Somerset where the public, or a section of the public, has a right of access. This can include areas where access is allowed with payment, or where permission is given explicitly or implicitly. Public spaces can therefore include businesses and communal areas of housing blocks, but **not** residential premises.

3. What areas are covered by a PSPO?

Some PSPO rules apply across all public spaces in North Somerset. A public space is any place that the public can normally enter or use. This includes places that are open to everyone, places where you may need to pay to enter, and shared areas such as communal spaces in housing blocks. It does not include private homes.

These rules are set out in our [Area-Wide PSPO](#). Other rules apply only in certain types of places, where clearer boundaries help keep the space safe and enjoyable. These include:

- [Managed Parks](#)
- [Town Centres and Retail Areas](#)
- [Car Parks](#)
- [Children's Play Areas and Skate Parks](#)
- [Council Premises](#)
- [Public Toilets](#)

Some rules apply only in specific locations where particular problems have been identified. These are set out in our [Area Specific PSPOs](#). More information on which rules apply in which areas can be found in the [All Orders Table](#).

4. Who enforces PSPOs and how enforcement works

Enforcement of PSPOs is:

- **targeted**, not constant
- **guided by risk and evidence**
- **supported by other measures**, such as signage, patrols, and community engagement

Officers cannot be present in every location at all times. Enforcement activity is therefore prioritised around:

- **known hotspots**
- **repeated or persistent issues**
- **behaviour that presents a clear risk to public safety or wellbeing**

Behaviours that are easier to enforce

Some restrictions are more straightforward to monitor because they are visible and clearly defined. These include:

- dogs entering clearly signed exclusion zones
- dogs being off-lead in areas where leads are required
- alcohol-related anti-social behaviour
- access restrictions to specific locations

Behaviours that are harder to enforce

Other behaviours are more difficult to monitor consistently, such as:

- occasional or low-visibility activities
- behaviour that happens quickly or sporadically
- activities that require specialist equipment to detect (for example, drone use)
- issues taking place across large or remote areas

What a PSPO does and does not guarantee

A PSPO does not provide continuous monitoring or guarantee immediate enforcement. Instead, it creates a legal framework that allows officers to take action when a breach is observed.

Although the Council and Police cannot offer 24-hour coverage, the presence of restrictions is intended to act as a **deterrent**, helping to reduce the likelihood of recurring problems. Having appropriate orders in place allows authorised officers to stop anti-social behaviour, issue warnings, or offer advice when they encounter it.

How reports are used

Not every individual report can receive an immediate response. However, enforcement teams use community reports and shared intelligence to plan **targeted patrols and operations**, focusing resources where they will have the greatest impact.

5. What happens when officers enforce a PSPO?

When an officer sees someone breaching a PSPO, they will usually start by speaking to the person involved. This may include giving advice, explaining the

rules, or asking them to stop the behaviour. In many cases, this is enough to resolve the issue.

If the behaviour continues, or if the person has previously been warned about the same issue, an authorised officer may issue a **Fixed Penalty Notice (FPN)** of up to **£100**. The person has **14 days** to pay the penalty.

If someone repeatedly breaches a PSPO, or refuses to change their behaviour, more formal action may be taken. This could include:

- a **Community Protection Notice**
- a **Criminal Behaviour Order**
- a **Civil Injunction**

Failure to comply with a PSPO, or failure to pay a Fixed Penalty Notice, can lead to a **court prosecution**. Breaching a PSPO is a criminal offence, and the court can issue a fine of up to **£1,000**.

The Council recognises that issuing a Fixed Penalty Notice is not always the most appropriate response. Officers may instead:

- give a clear direction to stop the behaviour
- offer advice on what needs to change
- ask someone to leave the area if anti-social behaviour is taking place

The aim is always to use enforcement in a fair, proportionate way, focusing on behaviour that is causing ongoing problems for others.

6. Can a Fixed Penalty Notice be challenged?

Yes. If someone receives a Fixed Penalty Notice (FPN), they can ask for it to be reviewed. This is called making a **representation**. Representations must be made **in writing within 14 days** of receiving the notice.

An FPN may be withdrawn if any of the following apply:

- **No offence was committed**, or the notice was issued in error (for example, if the PSPO did not apply in that location).
- **The person had an exemption** under the PSPO, such as a physical disability that made it impossible to comply.
- **Someone else committed the offence**, not the person who received the notice.
- **The person was not at fault**, and the breach happened without their knowledge or involvement.
- **There was nothing reasonable they could have done** to prevent the breach.

- **The person is under 18** or has a physical or mental impairment that means they could not understand that an offence had been committed.
- **There were significant extenuating circumstances** that temporarily affected their ability to comply with the rules.

If the representation is not successful, the person can still choose not to pay the FPN and instead challenge the case in court. The court will then review the evidence and decide the outcome.

7. Why issues may still occur even when a PSPO is in place

Some people tell us they still see problems in areas where a PSPO already exists. This does not mean the PSPO has failed, and it does not mean your views are not important.

There are several reasons why issues may continue:

- **PSPOs reduce problems but rarely remove them completely.** They are one tool among many and often help limit or contain behaviour rather than stop it entirely.
- **Enforcement is targeted, not constant.** Officers cannot be everywhere at all times. They focus on hotspots, repeated issues, and risks to public safety.
- **Some behaviours are harder to detect.** Quick, low-visibility, or sporadic activities, or those requiring specialist monitoring (such as drone use), may not always be seen in the moment.
- **A PSPO may need updating.** If rules are unclear, outdated, or no longer suitable for the area, your feedback helps identify what needs to change.

Your comments matter because this review is the point at which the Council must decide whether to:

- keep the current PSPO
- change it
- strengthen it
- remove it
- or combine it with other approaches

If you have seen issues continuing - or improving - your insight helps build the evidence that informs these decisions.

8. Could these orders affect people who may already face additional challenges?

PSPOs are designed to support public safety for everyone. People who are experiencing homelessness, poor health, or other difficulties are often more likely to be victims of

anti-social behaviour, so PSPOs can help protect them as well as other members of the public.

The Council does not target any particular group, and the available data does not suggest that specific groups are more likely to be responsible for the behaviours the PSPO aims to address.

Authorised officers consider individual needs and personal circumstances when engaging with someone. If a person appears to need support - for example, due to mental health issues, physical disabilities, or other challenges - officers will take this into account and may offer advice, information, or referrals to support services.

9. Do the PSPOs increase stop and search by the police?

No. PSPOs do not give the Police any power to stop and search individuals. Stop and search powers come from separate national legislation and are not affected by PSPOs.

10. Why your feedback matters

Your feedback helps the Council understand:

- whether the issues covered by the PSPOs are still happening
- whether the proposed changes are reasonable and proportionate
- how the proposals may affect different groups
- whether there are alternative approaches we should consider

All responses will be analysed alongside evidence from the Police, Council services, and community reports.

11. What this consultation can and cannot do

This consultation **can**:

- gather views on the proposed changes
- identify impacts on residents, visitors, and businesses
- highlight local knowledge and concerns
- help the Council decide whether to renew, vary, or remove specific PSPO measures

This consultation **cannot**:

- address issues outside the scope of PSPO legislation
- introduce measures that are not supported by evidence
- resolve individual disputes or enforcement cases
- change national laws or policing powers
- guarantee that all suggestions can be implemented

PSPOs are one tool among many and must meet strict legal tests.

12. How your feedback will be used

After the consultation closes:

- all responses will be reviewed and analysed
- findings will be considered alongside evidence and legal advice
- recommendations will be presented to decision-makers
- the Council will publish a summary of the consultation and the final decisions

13. Can a PSPO be challenged once it is in place?

Yes. Anyone who lives in, works in, or regularly visits the area can appeal a PSPO in the High Court within six weeks of it being made. Further appeals can be made each time the PSPO is varied.

14. Where to find more information about PSPOs

More Information about Public Spaces Protection Orders can be found on the governments website <https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-anti-social-behaviour> and on North Somerset Council's website at www.n-somerset.gov.uk/PSPO

If you have a question we haven't covered here, or you'd like clarity on any part of the consultation, please email us at pspoconsult@n-somerset.gov.uk