

Place & Resources Overview Committee

22 May 2025

Consultation Report for Anti-social Behaviour Related Public Spaces Protection Orders

For Recommendation to Cabinet

Cabinet Member and Portfolio:

Cllr G Taylor, Health and Housing

Local Councillor(s):

All

Executive Director:

R. Partridge, Acting Director of Public Health & Prevention

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Report Status: Public Choose an item.

Brief Summary:

Existing Anti-social Behaviour Related Public Spaces Protection Orders (PSPO's) are due to expire on 30 June 2025. As allowed for in the legislation and following consultation with key stakeholders, this report seeks your support to continue these Orders for a further three years. Also, two new Orders are proposed, and a public consultation has been undertaken. The results of the consultation are given in this report together with a recommendation to support these Orders being made.

Recommendations:

1. To recommend to Cabinet that the ASB Related Public Spaces Protection Orders due to expire on 30 June 2025 are extended for a period of three years.

2. To consider the results of a public consultation for two new proposed Anti-social Behaviour Related Public Spaces Protection Orders relating to fires on open land and unauthorised camping on Studland Beach.
3. To make any changes to the two new proposed Orders as drafted and recommend them to Cabinet for approval.

Reason for Recommendations:

1. To comply with legislative requirements for the making of Public Spaces Protection Orders.
2. To ensure openness and transparency in the Council's decision making by taking appropriate account of the results of the consultation.
3. To ensure that residents and businesses affected by anti-social behaviour are afforded the protection provided by such Orders.

1. Background

- 1.1 PSPO's were introduced by the Anti-social Behaviour, Crime and Policing Act 2014. They are intended to deal with a particular nuisance or problem in a specific area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to people. They are intended to help ensure that people can use and enjoy public spaces, safe from anti-social behaviour.
- 1.2 PSPO's are made by the relevant council for the area and are subject to a legal test that focusses on the impact that anti-social behaviour is having on victims and communities. A PSPO can be made by the council if they are satisfied on reasonable grounds that the activity or behaviour concerned, carried out, or likely to be carried out, in a public space:
 - Has had, or is likely to have, a detrimental effect on the quality of life of those in the locality;
 - Is, or is likely to be, persistent or continuing in nature;
 - Is, or is likely to be, unreasonable; and;
 - Justifies the restrictions imposed.
- 1.3 Breach of a PSPO is a criminal offence dealt with by way of a Fixed Penalty Notice (FPN) of £100 or prosecution in the Magistrates Court. Persistent offenders may have a Criminal Behaviour Order (CBO) attached to a guilty verdict in Court. PSPO's are not intended to tackle youth nuisance as FPN's

cannot be issued to persons under the age of 18. A PSPO cannot have effect for more than 3 years, unless extended under s.60(2).

2. Extension of current Orders

2.1 The following Orders were made on 19 May 2022 following a public consultation;

- The Weymouth Anti-social Behaviour Related Public Spaces Protection Order 2022.
- The Dorchester Anti-social Behaviour Related Public Spaces Protection Order 2022.
- The Dorset beaches Anti-social Behaviour Related Public Spaces Protection Order 2022.
- The Dorset Open Land Anti-social Behaviour Related Public Spaces Protection Order 2022.
- The Lyme Regis Anti-social Behaviour Related Public Spaces Protection Order 2022.
- The Portland Anti-social Behaviour Related Public Spaces Protection Order 2022.
- The West Bay Anti-social Behaviour Related Public Spaces Protection Order 2022.
- The Bridport Anti-social Behaviour Related Public Spaces Protection Order 2022.

2.2 These Orders addressed anti-social behaviour in relation to the following issues at specified public space locations;

- Consumption of alcohol;
- Intentional feeding of gulls;
- Aggressive begging;
- Cycling on Weymouth Promenade;
- Unauthorised camping on beaches;
- Lighting of fires on open land.

The Orders can be viewed at [Public Space Protection Orders for anti-social behaviour - Dorset Council](#)

2.3 The current Orders are considered to have performed satisfactorily by officers and partners including Dorset Police. There have been issues with the amount of enforcement resource available particularly in relation to unauthorised camping on beaches. This is symptomatic of the difficult financial environment that councils and public sector partners are operating in. It should be noted that alongside enforcement powers, the advertising and awareness of the Orders is beneficial in reducing anti-social behaviour.

A comprehensive assessment has been undertaken in relation to the existing Orders and is included in the Background Papers to this report.

- 2.4 Provision exists to extend the lifetime of these Orders by up to three years if considered appropriate. Officers have consulted with partners including Dorset Police and relevant Town & Parish Councils and the results are summarised in **Appendix 1**. The consensus is positive for the extension of these Orders, to continue to deter and address anti-social behaviour.

3. **Open Land (Number 2) ASB Related Public Spaces Protection Order 2025**

- 3.1 The proposed Order will extend the open land covered by the current Order and is made at the request of the Dorset Heaths Partnership. The purpose is to reduce the likelihood of devastating fires such as we have seen in recent years. Already this year, there have been several fires on land proposed to be covered by the new Order. The land is ecologically rich, diverse, and sensitive. The consultation for the new Orders ran for 8 weeks finishing on 20 April 2025. The executive summary of the results for the Open Land (Number 2) Order is;

There was an almost unanimous level of support for the proposals, with 95.7% (419 respondents) stating they were in support. 3.7% had concerns and a further 0.7% were not sure.

As shown in the open-text responses, support for the proposals continues, though there are several references to the area being expanded to cover a wider area. Other notable comments are:

- *How will this be enforced? Enforcement is key.*
- *Linking to that, various suggestions on further controls to be put in place*
- *Selling of portable BBQs to be banned, or at least reduced*
- *Greater emphasis on enforcement and prevention*
- *Some comments referencing the risk to housing and residential areas.*

The proposed Order is supported by Dorset & Wiltshire Fire and Rescue Service, Dorset Police, Dorset Heaths Partnership and Forestry England.

- 3.2 The raising of public awareness including visitors to Dorset is a key issue in the fight against fires on open land. The new Order will be extensively publicised and signed at recognised entrances to areas covered within the proposed Order. In relation to enforcement, officers from Forestry England are already authorised by this Council to take enforcement action for land under their stewardship covered by the current Order. Officers are in

discussion with Dorset Heaths Partnership to extend this approach to help complement existing resource. An extensive campaign was undertaken following the Wareham Forest fire in 2020, to reduce the sale of portable BBQs by retailers and this achieved good results. A communications campaign will support the introduction of this proposed Order and the continuance of the existing Order.

- 3.3 Swanage and Portland Town Councils have made consultation submissions asking that smaller areas of land within their jurisdiction be included in the Order. The Open Land Orders are currently intended to reduce the risk of large fires in sensitive landscapes, such as seen in Dorset and elsewhere. Whilst it is recognised that smaller scale fires have consequences as do hot coals etc. from discarded BBQs, officers are concerned about the overburdensome nature of such restrictions. Other town and parish councils may request a similar approach. The evidence base would need to justify the restrictions and enforcement would be difficult. Your officers suggest that this matter is discussed with relevant town and parish councils to consider alternative approaches.

The consultation report is provided at **Appendix 2**.

The draft Order is provided at **Appendix 3**.

4. **Studland Beach ASB Related Public Spaces Protection Order 2025**

- 4.1 The proposed order will extend the area of land covered by the ASB related camping on beaches order to additional beaches in the Studland area. The purpose is to reduce the amount of anti-social behaviour related activity at these locations.

The consultation for the new Order ran for 8 weeks finishing on 20 April 2025. The executive summary of the results for the Dorset Beaches [Studland] Anti-Social Behaviour Related Public Spaces Protection Order 2025 is:

Unauthorised camping on beaches

There was a high level of support for unauthorised camping on beaches with 79.4% (162) respondents supporting this section of the proposal.

Of those who don't support the proposal the two top concerns were 40% (14) thought it was too harsh/ petty and 37.1% (13) thought it was a harmless activity.

Of those who support the proposal, the main reason included 92.6% (151) thought it was necessary as it creates a litter problem and 85.9% (140) think it is important to stop before it becomes too widespread

Further comments reinforced the concern over litter left by campers. Many also referred to the fact that this order should be extended to other locations. It is worth noting that this consultation only included Studland beach as PSPOs for other beaches in the Dorset Council area are still in effect.

Other notable references were made to the general support of the protection order, the concern over BBQs and the risk it poses to the environment, other beach users and wildlife. There were also references made to the need for the order to be enforced for it to be effective.

Anti-social behaviour on beaches

There was a high level of support for the anti-social behaviour on beaches section with 88.2% in support of the proposal.

Of those who were not in support, the two main concerns were 31.3% (5) thought the area on the map should be altered and a 31.3% (5) were also concerned it won't be enforced.

Of those who did support the proposal, the primary reason was because 92.7% (166) felt it is necessary as it affects other beach users.

Further comments for anti-social behaviour on beaches show a similar concern for better enforcement for the protection order. Additionally, there were also numerous references to how the order needed to be extended to other locations and areas. There were comments regarding general support for the order. Respondents also made many references to how general anti-social behaviour was not appreciated, with this being inclusive of loud music/noise and alcohol/drug consumption.

- 4.2 In addition to the responses received through the formal consultation process, some additional responses were received directly by Officers, most notably from Portland Town Council, Dorchester Town Council, West Lulworth Parish Council and National Trust Studland who all expressed a desire to see additional areas covered by the PSPO's.
- 4.3 Officers propose to conduct further evidence gathering to support additional areas being included in future PSPO's with a further report being brought before this Committee for consideration at a later date prior to a formal consultation process taking place.

The consultation report is provided at **Appendix 4**.

The draft Order is provided at **Appendix 5**.

5. Financial Implications

- 5.1 New Orders will require appropriate signage and costs for the Open Land Order will be met by Dorset Heaths Partnership and Forestry England. The National Trust will meet costs for signage of the Studland Beach Order. Enforcement will be undertaken by authorised council officers and authorised officers of partner organisations.

6. Natural Environment, Climate & Ecology Implications

- 6.1 Orders in relation to the prevention of fires on open land and camping on beaches, protect our sensitive natural environment. This is demonstrated by the support for these Orders from Forestry England; Dorset Heaths Partnership and The National Trust.

7. Well-being and Health Implications

- 7.1 Anti-social behaviour can have a significant effect on mental health and wellbeing. The Orders seek to reduce ASB and are a positive contribution to healthy and thriving communities.

8. Other Implications

Nil.

9. Risk Assessment

- 9.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: Medium

Residual Risk: Low

10. Equalities Impact Assessment

- 10.1 An EqIA was completed for the Orders made in 2022 and this has been reviewed and revised to take account of the proposed Order extensions and the proposed new Orders.

11. **Appendices**

Appendix 1 – Summary of responses received to extension of existing ASB related PSPO's

Appendix 2 – Open Land PSPO Consultation Report

Appendix 3 – Open Land (Number 2) ASB PSPO 2025 Draft

Appendix 4 – Dorset Beaches Studland Consultation Report

Appendix 5 – Dorset Beaches (Studland) ASB PSPO 2025 Draft

12. **Background Papers**

Public Spaces Protection Orders Guidance for Councils, LGA 2018.

Consultation Report for ASB-related PSPO's, Place & Resources Overview Committee, 7 March 2022.

Report of Supporting Evidence in relation to extension of current ASB-related PSPO's.

13. **Report Sign Off**

- 13.1 This report has been through the internal report clearance process and has been signed off by the Director for Legal and Democratic (Monitoring Officer), the Executive Director for Corporate Development (Section 151 Officer) and the appropriate Portfolio Holder(s).