

APPENDIX A



Report To:	CABINET	Date:	20 SEPTEMBER 2021
Heading:	PUBLIC SPACES PROTECTION ORDER 2021 EXTENSION & VARIATION		
Portfolio Holder:	CLLR HELEN ANN SMITH, DEPUTY LEADER AND PORTFOLIO HOLDER FOR COMMUNITY SAFETY AND CRIME REDUCTION		
Ward/s:	ALL		
Key Decision:	YES		
Subject to Call-In:	YES		

Purpose of Report

Tackling anti-social behaviour and environmental crime are key priorities for the Council, extending the Council's Public Spaces Protection Order (PSPO) for a further 3 years and varying it to include additional prohibitions will contribute to these priorities enabling additional powers for the Council and Police to tackle localised problems.

At its meeting on 29 June 2021, Cabinet approved a 6-week public consultation exercise on proposals to extend the PSPO for a further 3 years and to vary the PSPO to include prohibitions relating to Junction 27 M1 car cruising and to restrict the public right of way on the strip of land between Bentinck Street and Welbeck Street, Sutton-in-Ashfield. Cabinet agreed to receive a further report following the conclusion of the consultation exercise to determine if it was satisfied that the provisions of sections 59 to 65 of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act) have been met.

This report presents to Cabinet the outcome of the consultation and invites Cabinet to recommend to Full Council that the PSPO be extended for a further 3 years and is varied to include the specified additional prohibitions.

Recommendation(s)

1. Note that the consultation exercise has been undertaken on the proposed 3 year extension and variation of the Public Spaces Protection Order, and acknowledgement of the consultation responses as outlined in this report which largely support the proposed Order.
2. Recommend that Full Council approves the extension, variation and associated budget for the existing Public Spaces Protection Order as set out in the draft order to commence on 1st October 2021.

Reasons for Recommendation(s)

In line with Section 60, Anti-Social Behaviour, Crime and Policing Act 2014, a PSPO may not have effect for a period of more than 3 years unless extended. The existing PSPO enacted on 1 October 2018, relating to a number of dog-related issues, alcohol and urinating will expire on 30 September 2021 unless the PSPO is formally extended following due process.

Evidence has been gathered to support the continued need for the order and public consultation largely supports the Order. Extending the PSPO ensures that the Council and Police can take suitable action including issuing Fixed Penalty Notices for these types of issues.

Alternative Options Considered

That the Council does not extend (and vary) the existing PSPO which would cease on 30 September 2021. The PSPO would need to be formally discharged and published in accordance with regulations made by Secretary of State. This would mean that officers could not continue to take action and may lead to an operational gap in addressing dog fouling, dog control, alcohol related street drinking, urinating in public places or be able to move people on, and addressing localised problems set out within the proposed order. This is not recommended.

The Consultation

Following approval at Cabinet to proceed with the consultation process, an engagement programme was implemented between 12th July and 23rd August 2021.

The main method of engagement was internet-driven using information published on the Council's website where users were invited to complete an online survey.

To ensure the PSPO extension proposal was publicised widely the following was undertaken:

- A press release and posting on social media publicising the proposal to extend and vary the PSPO;
- Raising awareness in town centres where residents were invited to complete surveys;
- Information displayed on noticeboards in the Council's reception; and
- Publication in the local papers Chad (25th June 2021) and Dispatch (14th July 2021).

In accordance with statutory guidelines detailed under Section 72, Anti-Social Behaviour, Crime and Policing Act 2014 the Council must undertake consultation with the affected parties.

The Council consulted directly with the statutory consultees including the Chief Constable of Nottinghamshire Police and the Police and Crime Commissioner who both approved the extension and variation of the order.

The Council also notified:

- Annesley Parish Council
- Selston Parish Council
- MP for Ashfield
- MP for Sherwood
- Nottinghamshire County Council Chief Executive and Leader

- Nottinghamshire County Council
- Highways Authority
- Council employees
- District Councillors
- Ashfield Neighbourhood Policing Team
- RSPCA
- Kennel Club
- Probation Service
- Nottinghamshire Fire and Rescue Service
- Change Grow Live
- Ramblers Association

During the consultation period the Council received 128 responses from members of the public via the Council internet link, surveys collected from reception and town centre surgeries. The outcome of the survey is highlighted below:

Question	Yes Responses	No Responses
Do you want the Council to issue fixed penalty notices to people who do not pick up after their dog?	126	2
Do you want the Council to issue fixed penalty notices to people who do not carry a suitable receptacle so they can pick up after their dog?	117	11
Do you want the Council to have authorisation to ask a dog owner to put their dog on a lead when the officer believes the dog is out of control and issue a fixed penalty notice if they don't comply?	119	9
Do you think dogs should be excluded from entering enclosed children's play areas or sporting areas. i.e. tennis courts on parks and issue a fixed penalty notice to the owner if they don't comply?	120	8
Do you think there should be restrictions in place that no more than 6 dogs should be walked at any one time by one person and a fixed penalty notice issued if the owner won't comply?	103	15
Do you think dogs should be on a lead in pedestrian areas including, town centres, pavements and in cemeteries and a fixed penalty notice issued if the owner won't comply?	120	8
Do you think the Council should be able to confiscate alcohol from street drinkers and issue a fixed penalty if they won't hand it over?	125	3

Do you think the Council should be able to issue a fixed penalty notice to someone who urinates or defecates in the street? (excluding young children for instance)	126	2
Do you think the Council should be able to ask someone to leave an area who is causing a nuisance and annoyance and issue a fixed penalty notice if they don't comply?	124	4
Do you think the Council and Police should be provided with additional powers to tackle car cruising within the vicinity of Junction 27?	123	5

Themes that emerged from the consultation were:

- Requests for additional bins across parks, town centres and estates.
- Increased visible signage
- Levels of enforcement
- Amendments to dog control provisions i.e. removal of restrictions
- Extending the scope to cover wider areas i.e. closing of land in additional areas.

Nottinghamshire Fire and Rescue Service, Ashfield Policing Inspector and Probation responded in full support of the extension and variation of the order. A number of agencies did not respond, and two agencies highlighted their reservations on authorising powers to issue Fixed Penalty Notices to residents who do not carry suitable receptacles and who walk more than 6 dogs; however, considering that these powers have been approved previously with no significant concerns highlighted, the Council does not consider this as a justification for removing these powers.

In relation to the proposed closure of the strip of land between Bentinck Street and Welbeck Street, Sutton-in-Ashfield, letters were delivered to every property on both streets notifying them of the draft order. No objections were received, and 21 residents responded supporting the closure of the land due to the difficulties encountered by anti-social behaviour and criminality within the area. Confirmation was also received by the appointed Rights of Way Officer of the Countryside Access Team at Nottinghamshire County Council who did not highlight any objections to the proposal.

Given the outcome of the public consultation detailed above and the evidence provided as part of Cabinet report dated 29th June 2021, it is recommended, in accordance with the Anti-Social Behaviour, Crime and Policing 2014 Act, that the Council can be satisfied on reasonable grounds that extending the current PSPO is necessary to prevent:

- a) occurrence or recurrence of the activities identified in the PSPO after the expiry of the current PSPO; and
- b) an increase in the frequency or seriousness of those activities after the expiry of the PSPO.

It is also recommended that it is reasonable to vary the PSPO to add new prohibitions to prevent, reduce or reduce the risk of the continuance, occurrence or recurrence of the detrimental effect that those activities specified in the new prohibitions have had, or are likely to have, on the quality of life of those in the locality.

Communications

The draft Order is attached to the report and upon Full Council approval will enable the extension (with variation) of the current PSPO provisions. If approved the Council will undertake a period of publicity and ensure awareness is raised.

Additional appropriate signage and other materials will be purchased and erected across the district to publicise the Order.

Cost:

As highlighted in the previous Cabinet report, a budget will need establishing for the purchase of gates, signage, and general maintenance in relation to the strip of land between Bentinck Street and Welbeck Street, Sutton-in-Ashfield.

Costs have been established for these works as detailed below:

- Publication costs £1,000
- Signage costs £3,000
- Gating costs £5,000
- Ongoing annual maintenance costs £1,000

Total: £10,000

Corporate Plan:

The PSPO will help support place enhancement and the Safer and Stronger priorities within the Council's corporate plan and commitments under the renewed Environmental Charter in order to improve the quality of life for residents within Ashfield. Tools and powers provided as part of the PSPO provisions will assist in enabling an effective response to tackling anti-social behaviour and environmental crime across the District.

Legal:

Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") provides the authority with the power to make a PSPO if satisfied on reasonable grounds that two conditions are met. Section 60 of the Act provides that a PSPO shall not have effect for longer than 3 years unless extended under this section. Section 61 provides a power to vary a PSPO by increasing or reducing the restricted area; or by altering or removing a prohibition or requirement included in the order, or adding a new one.

Section 72 details the requirements for convention rights, consultation, publicity, and notification. The authority must have taken into account articles 10 and 11 of the Convention, carried out the necessary consultation and publicity and notification before making, extending or varying or discharging a PSPO.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	A one-off budget approval of approximately £10,000 will be required to meet the costs identified, if it cannot be contained within the Directorate Budget and

	maintenance costs of £1,000 per annum thereafter. The additional £1,000 recurrent cost to be included in the refresh of the Medium-Term Financial Strategy.
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

Risk:

Without a PSPO in place, there is a risk that anti-social behaviour could potentially escalate which would have a detrimental impact on the local community.

Given the positive feedback received from both stakeholders and the public about the proposed Order, there is a risk to the reputation of the Council if the Order is not progressed as we may be seen to be disengaged from the needs of the community and not proactively delivering against our commitment to reducing crime and anti-social behaviour.

Human Resources:

No direct implications.

Equalities:

In recommending the proposed PSPO, consideration has also been given to Articles 10 and 11 of the European Convention on Human Rights which provide for the rights of freedom of expression and assembly. The proposals set out for the PSPO are intended to ensure that the anti-social behaviours caused by the activities are addressed so that public spaces can be enjoyed without fear or intimidation by the law-abiding majority of the community.

Other Implications:

The PSPO is seeking to address issues which impact on quality of life and public safety. These issues can affect both the physical and mental wellbeing of residents and therefore these proposals would have a significant impact on community wellbeing.

Communications: a press statement will be published, and social media will be regularly updated on progress.

Reason(s) for Urgency

Not applicable

Reason(s) for Exemption

Not applicable

Background Papers

PSPO 2021 29th June 2021– Cabinet Report
 PSPO 2021 Final Draft Order

Report Author and Contact Officer

**Antonio Taylor
Community Safety Manager
Place and Communities
Ashfield District Council**

Antonio.Taylor@ashfield.gov.uk

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (the “Act”)

The Public Spaces Protection Order

– Ashfield District Council 2021 (the “Order”)

Ashfield District Council (“the Authority”), being satisfied that:

- (a) activities as described in articles 1-11 below which are carried on in a public place within the Authority’s area have had a detrimental effect on the quality of life of those in the locality; or
- (b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

And that the effect, or likely effect, of the activities:

- (a) is, or is likely to be, of a persistent or continuing nature,
- (b) is, or is likely to be, such as to make the activities unreasonable, and
- (c) justifies the restrictions imposed by this Order.

And that the prohibitions described in articles 1-11 below are reasonable to impose in order—

- (a) to prevent the detrimental effect from continuing, occurring or recurring, or
- (b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.

And being satisfied on reasonable grounds that extending the period for which The Public Spaces Protection Order – (Ashfield District Council) 2015 (as extended and varied 2018) (the “2018 Order”) has effect is necessary to prevent—

- (a) occurrence or recurrence after that time of the activities identified in the 2018 Order, or
- (b) an increase in the frequency or seriousness of those activities after that time

And pursuant to section 72 of the Act the Authority:

- (a) having had particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights and
- (b) having carried out the necessary consultation, notification and publicity

HAS DECIDED TO EXTEND AND VARY the 2018 Order under section 60 and 61 of the Act as follows:

1. The land described in the Schedules to this order (“the Restricted Areas”) being land in the area of the Authority to which the Act applies is land protected by this Order.
2. This Order may be cited as The Public Spaces Protection Order – Ashfield District Council 2021 (the “Order”) and shall come into force on **1st October 2021 and remains in place for a period of 3 years.**

Definitions

In this Order:

“**Alcohol**” has the meaning given by section 191 of the Licensing Act 2003

“**Authorised Officer**” means an employee of the Authority who is authorised in writing by the Authority for the purpose of this Order

“**Authorised Person**” includes an Authorised Officer and a Police Community Support Officer (PCSO)

“**Prescribed Charity**” means:

- i. Dogs for the Disabled (registered charity number 700454)
- ii. Support Dogs Ltd (registered charity number 1088281)
- iii. Canine Partners (registered charity number 803680)
- iv. Dog Assistance in Disability (Registered Charity Number 1098619)
- v. Medical Detection Dogs (Registered Charity Number 1124533)

“**Public Place**” means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission

Offences

1. Prohibition of Alcohol Consumption

- 1.1 This article applies to land specified in Schedule 1 of this Order.
- 1.2 No person shall consume alcohol or have an open container of alcohol in their possession on any land to which this article applies subject to the exemptions referred to at Appendix A below.
- 1.3 Where a constable or an Authorised Person reasonably believes that a person is or has been consuming alcohol in breach of the prohibition in 1.2 above, or intends to consume alcohol in circumstances in which doing so would be a breach of that prohibition, under section 63(2) of the Act the constable or Authorised Person may require the person:
 - (a) not to consume, in breach of the Order, alcohol or anything which the constable or Authorised Person reasonably believes to be alcohol;
 - (b) to surrender anything in the person's possession which is, or which the constable or Authorised Person reasonably believes to be, alcohol or a container for alcohol.
- 1.4 A constable or an Authorised Person who imposes a requirement under section 63(2) of the Act must tell the person that failing without reasonable excuse to comply with the requirement is an offence.
- 1.5 A requirement imposed by an Authorised Person under section 63(2) of the Act is not valid if the Authorised Person is asked by the person to show evidence of his or her authorisation and fails to do so.
- 1.6 A constable or an Authorised Person may dispose of anything surrendered under section 63(2)(b) of the Act in whatever way he or she thinks appropriate.
- 1.7 A person who fails without reasonable excuse to comply with a requirement imposed on him or her under section 63(2) of the Act commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

2. Urinating

- 2.1 This article applies to land specified in Schedule 1 of this Order.
- 2.2 A person commits an offence if they urinate or defecate on any land to which this article applies unless:
 - (a) he has a reasonable excuse for doing so; or
 - (b) the owner, occupier or other person or authority having control of the land has expressly consented to his doing so.

2.3 In accordance with section 67 of the Act a person who is guilty of an offence under article 2 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

3. Direction to Move On

3.1 This article applies to land specified in Schedule 1 of this Order.

3.2 A person commits an offence if they fail to comply immediately with a direction by a constable or an Authorised Person to move on from any location on any land to which this article applies to such distance from that location and for such a time period as specified by the constable or Authorised Person unless:

(a) he has a reasonable excuse for failing to do so; or

(b) the owner, occupier or other person or authority having control of the land has expressly consented to his failing to do so.

3.3 A constable or an Authorised Person may only give a direction under this article if such direction is reasonably necessary to prevent nuisance or behaviour by a person that is likely to cause annoyance or disturbance to any other person.

3.4 In accordance with section 67 of the Act a person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

4. Dog Fouling

4.1 This article applies to land specified in Schedule 2 of this Order

4.2 If a dog defecates at any time on any land to which this article applies and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless—

(a) he has a reasonable excuse for failing to do so; or

(b) the owner, occupier or other person or authority having control of the land has expressly consented to his failing to do so.

4.3 For the purposes of this article:

(a) A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;

(b) placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;

(c) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise) or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;

4.4 In accordance with section 67 of the Act a person who is guilty of an offence under article 4 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

5. Failure to produce device or other suitable means of removing dog faeces on demand

5.1 This article applies to land specified in Schedule 2 of this Order.

5.2 If at any time on any land to which this article applies a person who is in charge of a dog at any time fails to produce forthwith a device for or other suitable means of removing dog faeces (whether or not the dog has defecated) when asked to do so by a constable or an Authorised Person, that person shall be guilty of an offence unless:

(a) he has a reasonable excuse for failing to do so; or

(b) the owner, occupier or other person or authority having control of the land has expressly consented to his failing to do so.

5.3 For the purposes of this article, a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

5.4 In accordance with section 67 of the Act a person who is guilty of an offence under article 5 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

6. Dog Exclusion

6.1 This article applies to land specified in Schedule 3 of this Order

6.2 A person who is in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any land to which this article applies unless—

(a) he has a reasonable excuse for doing so; or

(b) the owner, occupier or other person or authority having control of the land has expressly consented to his doing so.

6.3 For the purposes of this article, a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

6.4 In accordance with section 67 of the Act a person who is guilty of an offence under article 6 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

7 Dogs on Leads

7.1 This article applies to land specified in Schedule 4 of this order

7.2 A person who is in charge of a dog shall be guilty of an offence if, at any time, on any land to which this article applies he does not keep the dog on a lead of not more than five (5) metres in length, unless—

- (a) he has a reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has expressly consented to his failing to do so.

7.3 For the purposes of this article, a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

7.4 In accordance with section 67 of the Act a person who is guilty of an offence under article 7 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

8 Dogs on Lead by direction

8.1 This article applies to land specified in Schedule 2 of this Order.

8.2 A person who is in charge of a dog shall be guilty of an offence if, at any time, on any land to which this article applies, he does not comply with a direction given to him by a constable or an Authorised Person to put and keep the dog on a lead of not more than five (5) metres in length, unless—

- (a) he has a reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has expressly consented to his failing to do so.

8.3 For the purposes of this article:

- (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog
- (b) a constable or an Authorised Person may only give a direction under this article to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or

disturbance to any other person on any land to which this article applies or the worrying or disturbance of any animal or bird.

- 8.4 In accordance with section 67 of the Act a person who is guilty of an offence under article 8 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale

9 Dogs Specified Maximum Amount

- 9.1 This article applies to land specified in the Schedule 2 of this Order.
- 9.2 A person who is in charge of more than one dog shall be guilty of an offence if, at any time, he takes onto any land to which this article applies more than six (6) dogs, unless—
- (a) he has a reasonable excuse for doing so; or
 - (b) the owner, occupier or other person or authority having control of the land has expressly consented to his doing so.
- 9.3 For the purposes of this article, a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
- 9.4 In accordance with section 67 of the Act a person who is guilty of an offence under article 9 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

10 Restricting Access

- 10.1 This Article applies to land specified in Schedule 5 of this Order (“the Restricted Access Highway”).
- 10.2 A person commits an offence if at any time he uses the public right of way on land to which this article applies unless he has a reasonable excuse for doing so.
- 10.3 A barrier or barriers may be installed, operated and maintained at each of the respective ends of the Restricted Access Highway. Ashfield District Council is responsible for maintaining and operating the barrier or barriers.
- 10.4 In accordance with section 67 of the Act a person who is guilty of an offence under article 10 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

11 Car Cruising

- 11.1 This Article applies to land specified in Schedule 6 of this Order (“Restricted Area Car Cruising Junction 27”).

- 11.2 A person commits an offence if at any time without reasonable excuse he:
- (a) participates in Car Cruising;
 - (b) promotes, organises or publicises Car Cruising (including but not limited to via email, the internet, Facebook, Twitter or similar social media, or any publication or broadcast);
 - (c) attends any meeting either as a vehicle owner, driver, passenger or spectator where a reasonable person would consider that Car Cruising is taking place.
- 11.3 “Car Cruising” is defined as two or more motor vehicles (including motor bikes) being on a highway or a public place where any such vehicle or occupant of such vehicle performs any of the Prohibited Activities.
- 11.4 The “Prohibited Activities” are:
- (a) causing danger or risk of injury to road users (including pedestrians) by speeding or racing;
 - (b) causing damage or risk of damage to property;
 - (c) speeding or racing;
 - (d) performing stunts (including but not limited to performing a doughnuts manoeuvre drifting, skidding, handbrake turns, wheel spinning);
 - (e) sounding horns or playing loud music so as to cause a nuisance;
 - (f) revving of engines so as to cause a nuisance;
 - (g) using foul or abusive language;
 - (h) using threatening, intimidating or anti-social behaviour; or
 - (i) causing obstruction on a public highway or publicly accessible place (whether moving or stationary)
- 11.5 In accordance with section 67 of the Act a person who is guilty of an offence under article 11 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Exemptions

Nothing in articles 4, 5 and 6 shall apply to a person who has a disability which affects his sight, hearing, mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

Fixed Penalties

A constable or an Authorised Person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 63 or 67 in relation to a public spaces protection order.

EXECUTED AS A DEED by affixing)
THE COMMON SEAL of)
ASHFIELD DISTRICT COUNCIL)
This day of 2021)
In the presence of :-)

Chairman:

Authorised Officer:

DRAFT

Appendix A

Section 62 of the Act - Premises etc. to which alcohol prohibition does not apply

(1) A prohibition in a public spaces protection order on consuming alcohol does not apply to—

(a) premises (other than council-operated licensed premises) Authorised by a premises licence to be used for the supply of alcohol;

(b) premises Authorised by a club premises certificate to be used by the club for the supply of alcohol;

(c) a place within the curtilage of premises within paragraph (a) or (b);

(d) premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within the 30 minutes before that time;

(e) a place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (highway-related uses).

(2) A prohibition in a public spaces protection order on consuming alcohol does not apply to council-operated licensed premises—

(a) when the premises are being used for the supply of alcohol, or

(b) within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.

(3) In this section—

“club premises certificate” has the meaning given by section 60 of the Licensing Act 2003;

“premises licence” has the meaning given by section 11 of that Act;

“supply of alcohol” has the meaning given by section 14 of that Act.

(4) For the purposes of this section, premises are “council-operated licensed premises” if they are Authorised by a premises licence to be used for the supply of alcohol and—

(a) the licence is held by a local authority in whose area the premises (or part of the premises) are situated, or

(b) the licence is held by another person but the premises are occupied by a local authority or are managed by or on behalf of a local authority.

The Public Spaces Protection Order

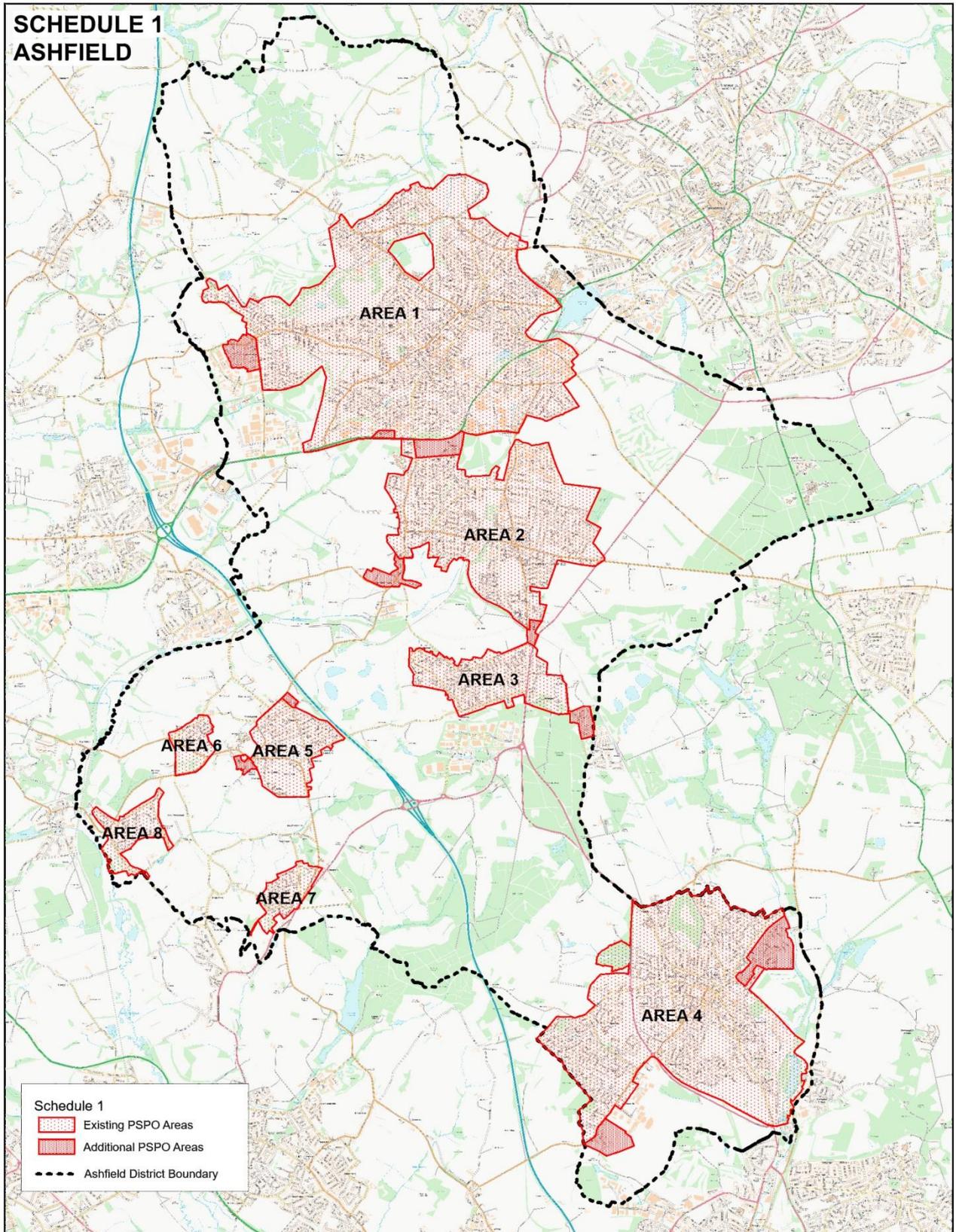
– Ashfield District Council 2021

Schedule 1 – Alcohol Consumption, Urinating, Direction to move on (Prohibitions 1, 2 & 3)

Public spaces within Areas 1-8 (shown edged in red and shaded in red on the plans attached), being Public Places in the Authority's area to which the Act applies.

DRAFT

**SCHEDULE 1
ASHFIELD**



Schedule 1
Existing PSPO Areas
Additional PSPO Areas
Ashfield District Boundary

**SCHEDULE 1
ALCOHOL CONSUMPTION
URINATING
DIRECTION TO MOVE ON**

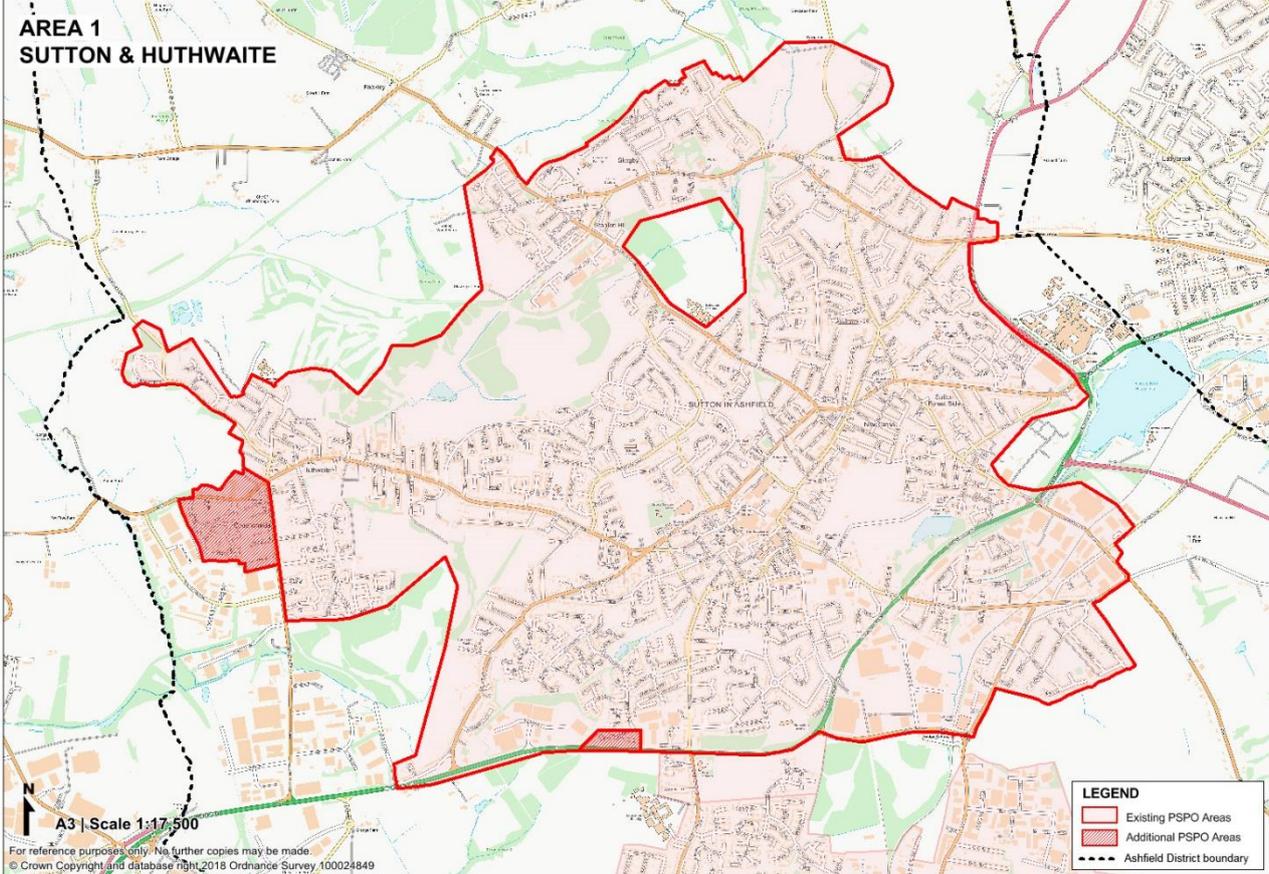


22 May 2018
A3 | Scale: 1 to 50,000

Ashfield District Council
Urban Road
Kirby in Ashfield
Nottingham
NG17 8DA

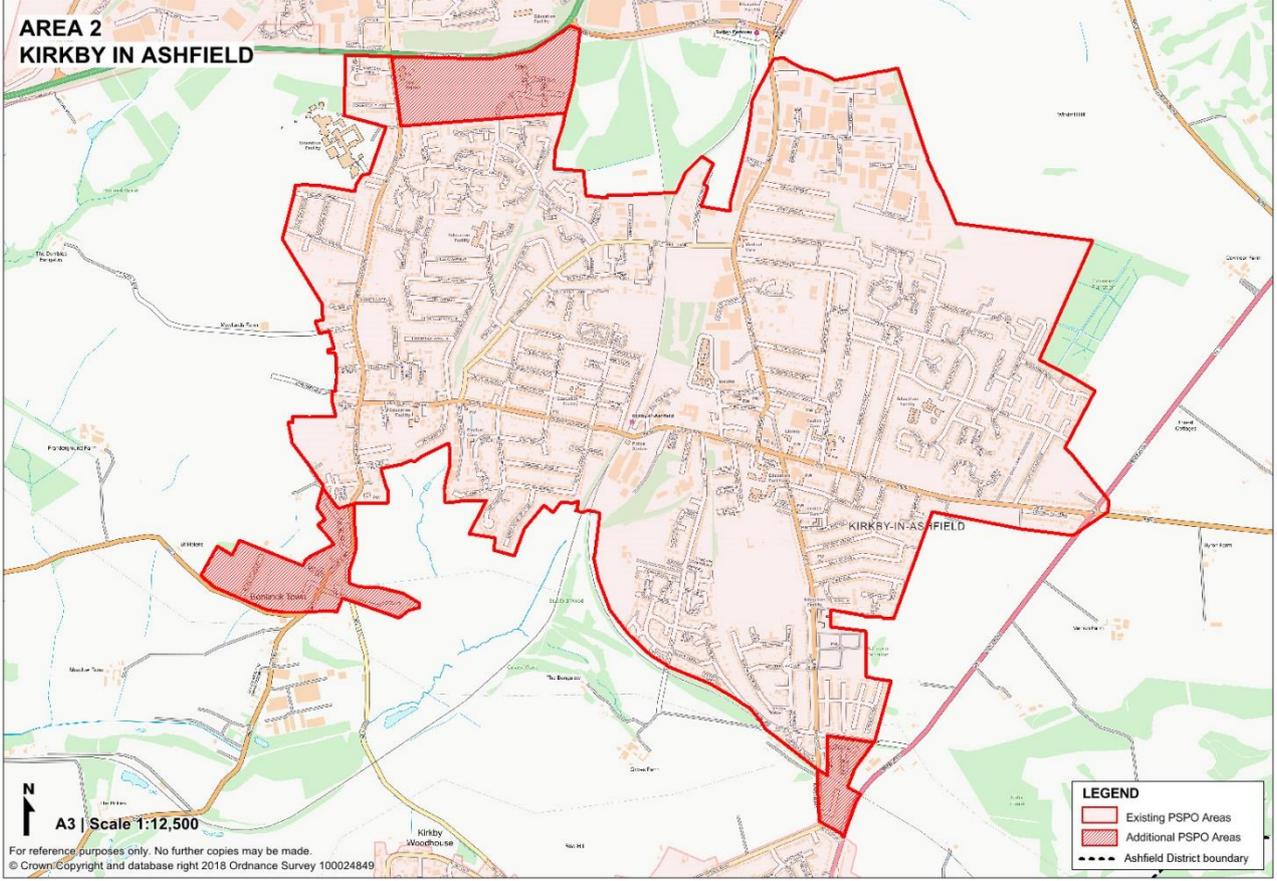
For reference purposes only. No further copies may be made.
© Crown Copyright and database right 2018. Ordnance Survey 100024849.

**AREA 1
SUTTON & HUTHWAITE**



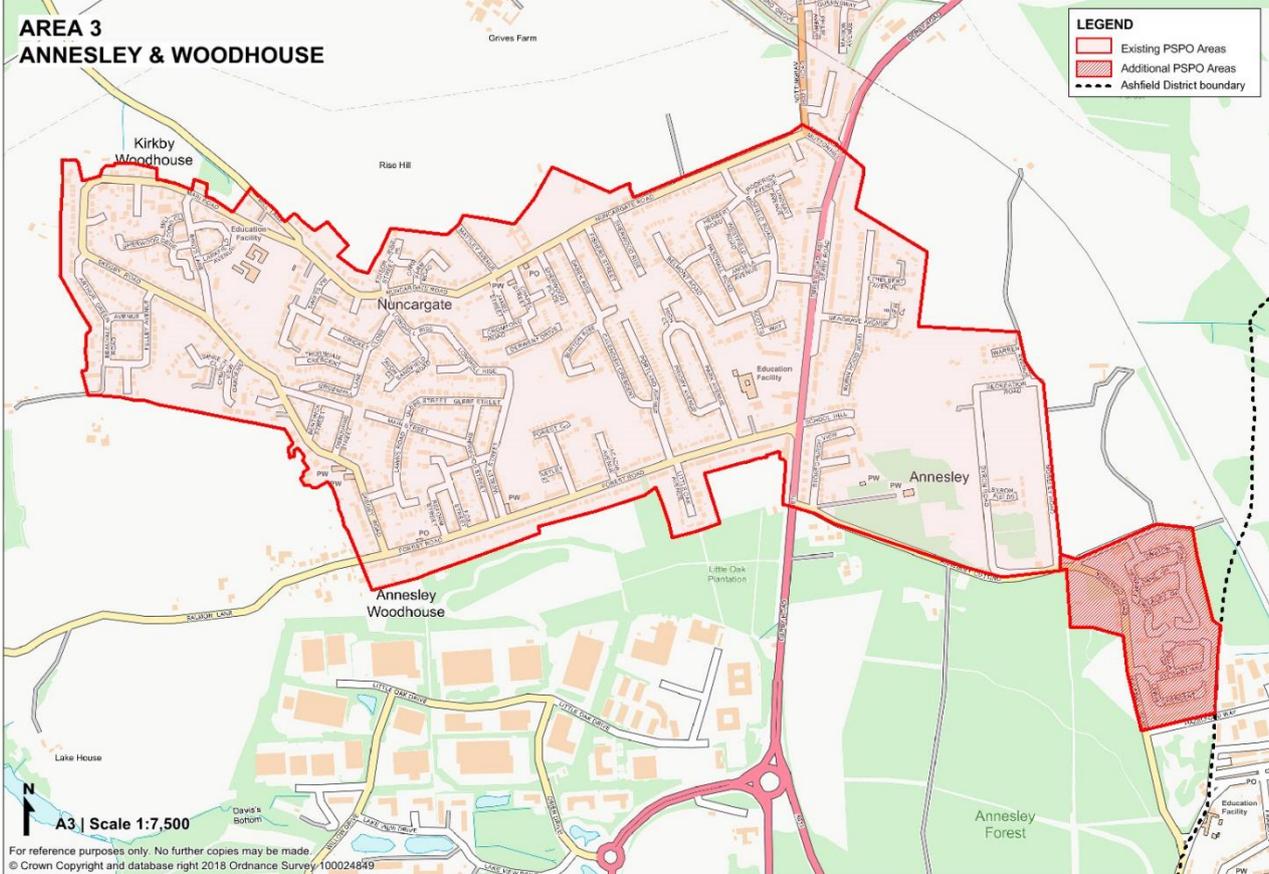
DRAFT

**AREA 2
KIRKBY IN ASHFIELD**

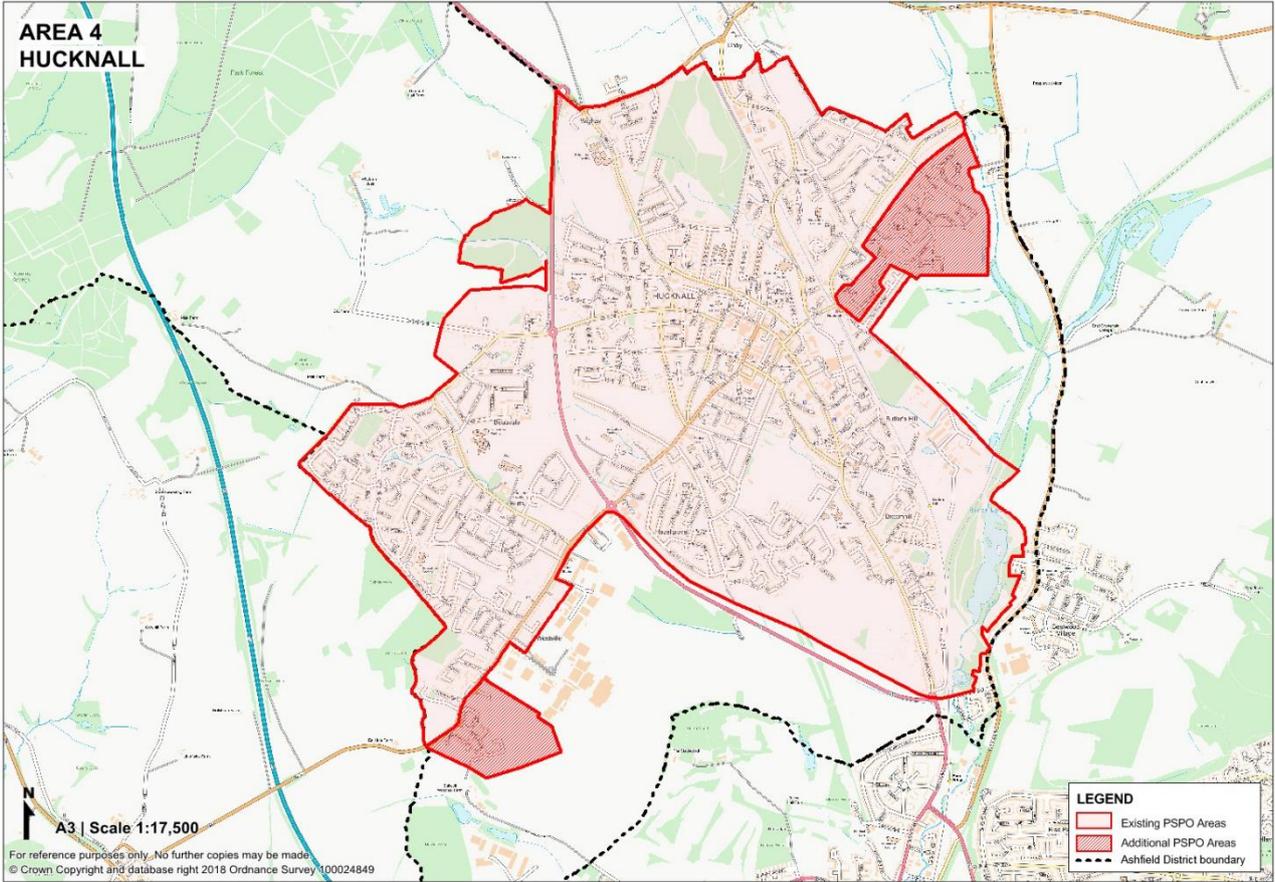


DRAFT

**AREA 3
ANNESLEY & WOODHOUSE**

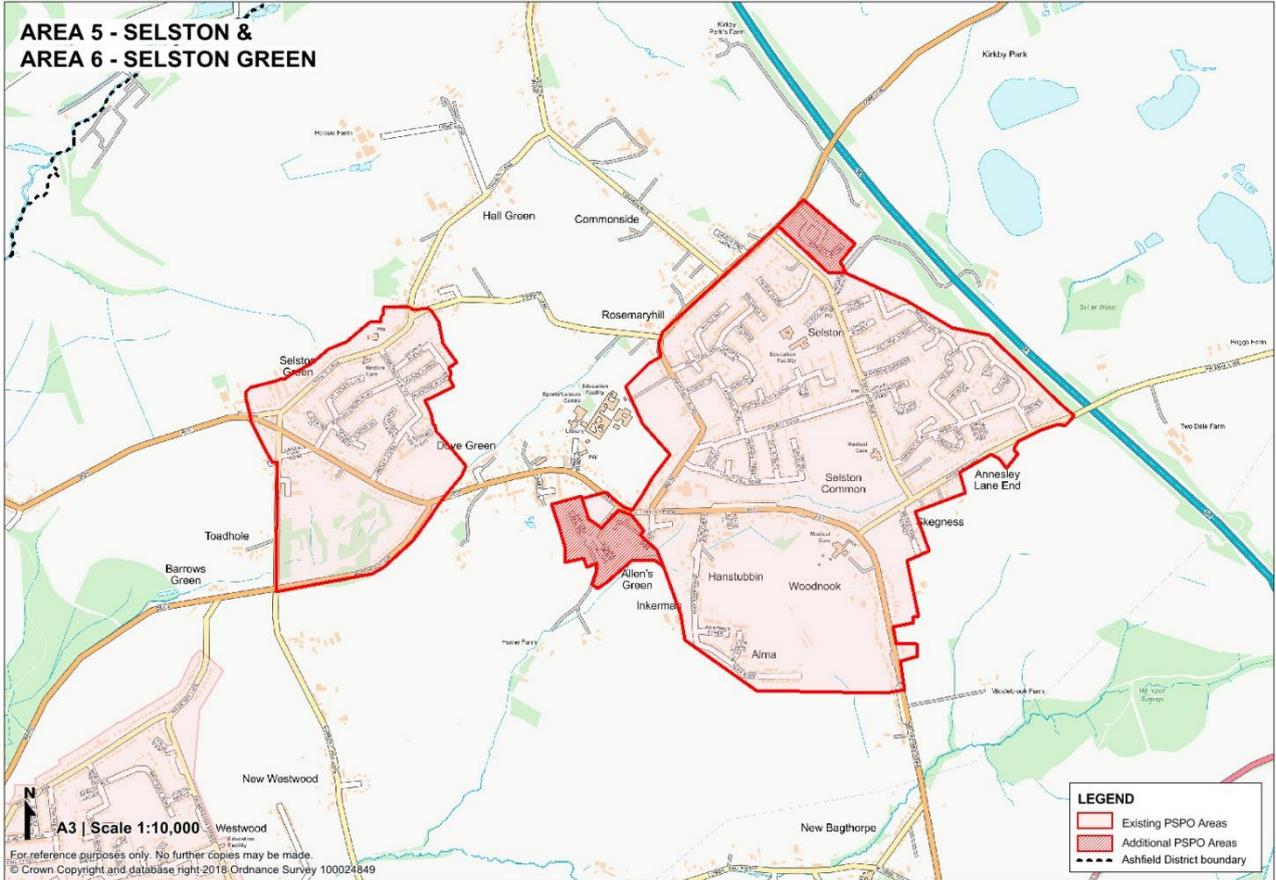


DRAFT



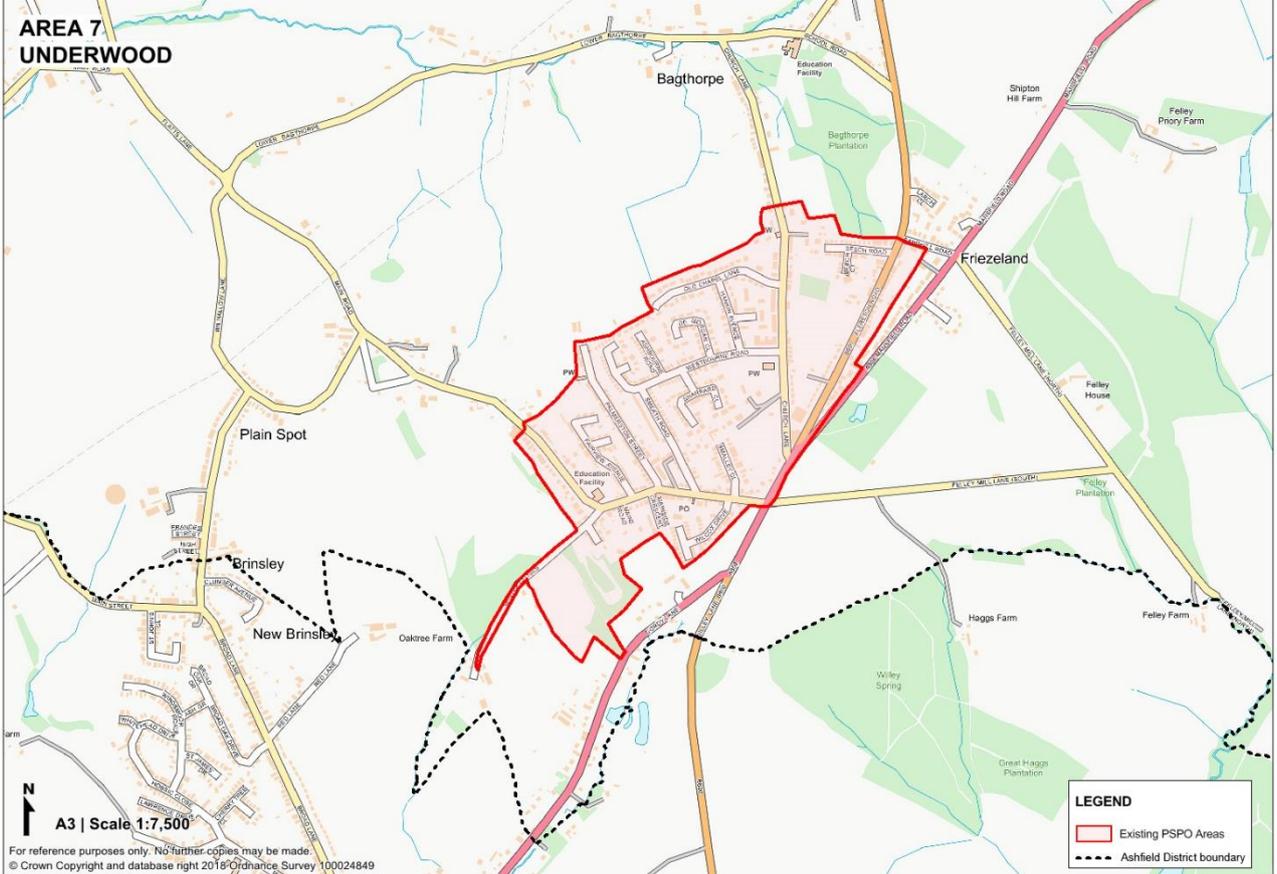
DRAFT

**AREA 5 - SELSTON &
AREA 6 - SELSTON GREEN**



DRAFT

**AREA 7
UNDERWOOD**

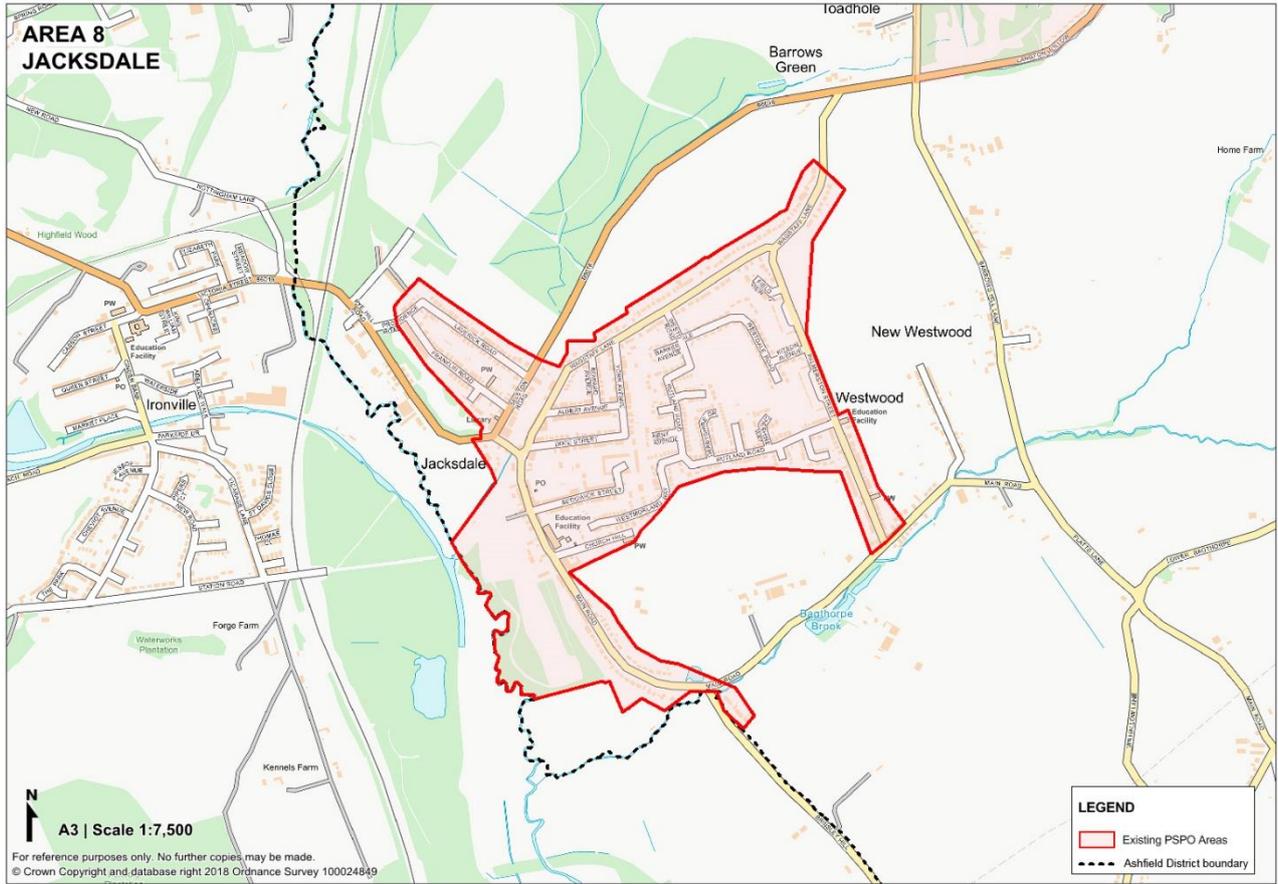


A3 | Scale 1:7,500
For reference purposes only. No further copies may be made.
© Crown Copyright and database right 2018 Ordnance Survey 100024849

LEGEND

- Existing PSPO Areas
- Ashfield District boundary

DRAFT



DRAFT

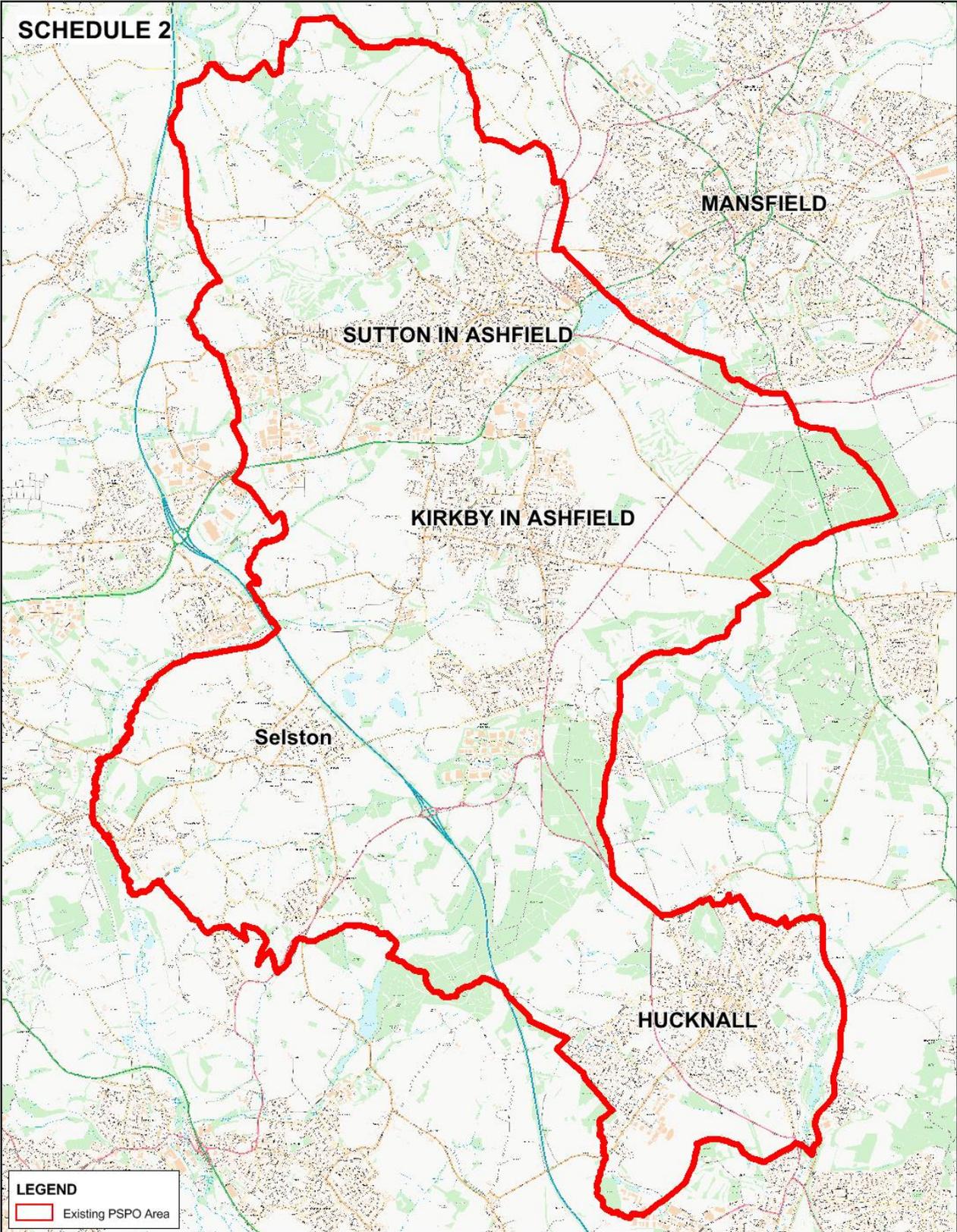
The Public Spaces Protection Order

– Ashfield District Council 2021

Schedule 2 – Dog Fouling, Failing to produce a suitable means of removing dog faeces, Dogs on lead by direction, Dogs specified maximum amount (Prohibitions 4, 5, 8, & 9)

1. Subject to the exception in paragraph 2 below, public spaces within the area shown edged in red on the plan attached, being Public Places in the Authority's area to which the Act applies.
2. Excepted from the description in paragraph 1 above is land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967

DRAFT



SCHEDULE 2
DOG FOULING
FAILURE TO PRODUCE A SUITABLE MEANS OF REMOVING DOG FAECES
DOGS ON LEAD BY DIRECTION
DOGS SPECIFIED MAXIMUM AMOUNT

22 May 2018
 A3 | Scale: 1 to 50,000



Ashfield District Council
 Urban Road
 Kirkby in Ashfield
 Nottingham
 NG17 8DA

For reference purposes only. No further copies may be made.
 © Crown Copyright and database right 2018. Ordnance Survey 100024849.

The Public Spaces Protection Order

– Ashfield District Council 2021

Schedule 3 – Dog Exclusion areas (prohibition 6)

Public spaces described in the following Schedule and shown within the areas coloured in red on the plans attached, being Public Places in the Authority's area to which the Act applies, and which is signed at its entrance(s) as a "Dog Exclusion Area" (whether the sign uses those particular words or words and/or symbols having like effect)

Land Designated Specifically:

1. Sutton-in-Ashfield

- 1.1 The children's play area at Stoneyford Road Recreation Ground
- 1.2 The children's play area and multi-use games area at The Oval Recreation Ground
- 1.3 The children's play area at Brierley Country Park, Huthwaite
- 1.4 The children's play area, the tennis courts, the bowling green, the all weather football pitch and the multi-use games area at Sutton Lawn Pleasure Ground
- 1.5 The children's play area and multi-use games area at Cowpasture Lane Recreation Ground
- 1.6 The children's play area at the John Whetton Recreation Ground (Roundhills),
- 1.7 The children's play area at Stamper Crescent Recreation Ground
- 1.8 The children's play area, the multi-use games area, and the fitness area at Healdswood Recreation Ground
- 1.9 The children's play area at Hill Crescent Recreation Ground
- 1.10 The children's play area at Bluebell Wood Way Recreation Ground
- 1.11 The children's play area at Sudbury Drive Recreation Drive
- 1.12 The children's play area at Springwood View Close Recreation Ground (locally known as "the Riley Recreation Ground")
- 1.13 The children's play area, multi-use games area, tennis court, and the bowling green at the Welfare Grounds, Huthwaite, Sutton in Ashfield.

2. Kirkby-in-Ashfield

- 2.1 The children's play area at Mayfield Street Recreation Ground
- 2.2 The children's play area, the all-weather football pitch, the youth area/skate park, and the tennis courts at Kingsway Park
- 2.3 The children's play area, tennis courts, bowling green and additional enclosed area at Titchfield Park
- 2.4 The children's play area at Morvern Park, Welbeck Street
- 2.5 The children's play area, at Beacon Drive Recreation Ground
- 2.6 The children's play area and multi-use games area at Forster Street Recreation Ground (locally known as "West Park")

3. Annesley / Annesley Woodhouse

- 3.1 The children's play area at The Steeples Recreation Ground, Annesley Woodhouse
- 3.2 The children's play area and multi-use games area at Cavendish Crescent Recreation Ground, Annesley Woodhouse (known locally as "Acacia Recreation Ground")
- 3.3 The children's play area at Byron Road Recreation Ground, Annesley
- 3.4 The children's play area at Nuncargate Road Recreation Ground, Annesley Woodhouse

4. Hucknall

- 4.1 The children's play equipment areas, the bowling green, skate park, tennis court, and basketball court at Titchfield Park
- 4.2 The children's play area and basketball ground at Bestwood Road Recreation Ground
- 4.3 The children's play area at the Leisure Centre Recreation Ground, Linby Road
- 4.4 The children's play areas at Nabbs Lane Recreation Ground
- 4.5 The children's play area at Milton Rise Recreation Ground
- 4.6 The children's play area at Snowdrop Close
- 4.7 The children's play area at Washdyke Lane

5. Selston

- 5.1 The children's play area and skate park at Nottingham Road Recreation Ground
- 5.2 The children's play area at Valentine Avenue Recreation Ground
- 5.4 The children's play area at Green Well Park
- 5.5 The children's play area at Green Farm Road Recreation Ground
- 5.5 The children's play area at Jubilee Recreation Ground
- 5.6 The children's play area at New Selston Recreation Ground

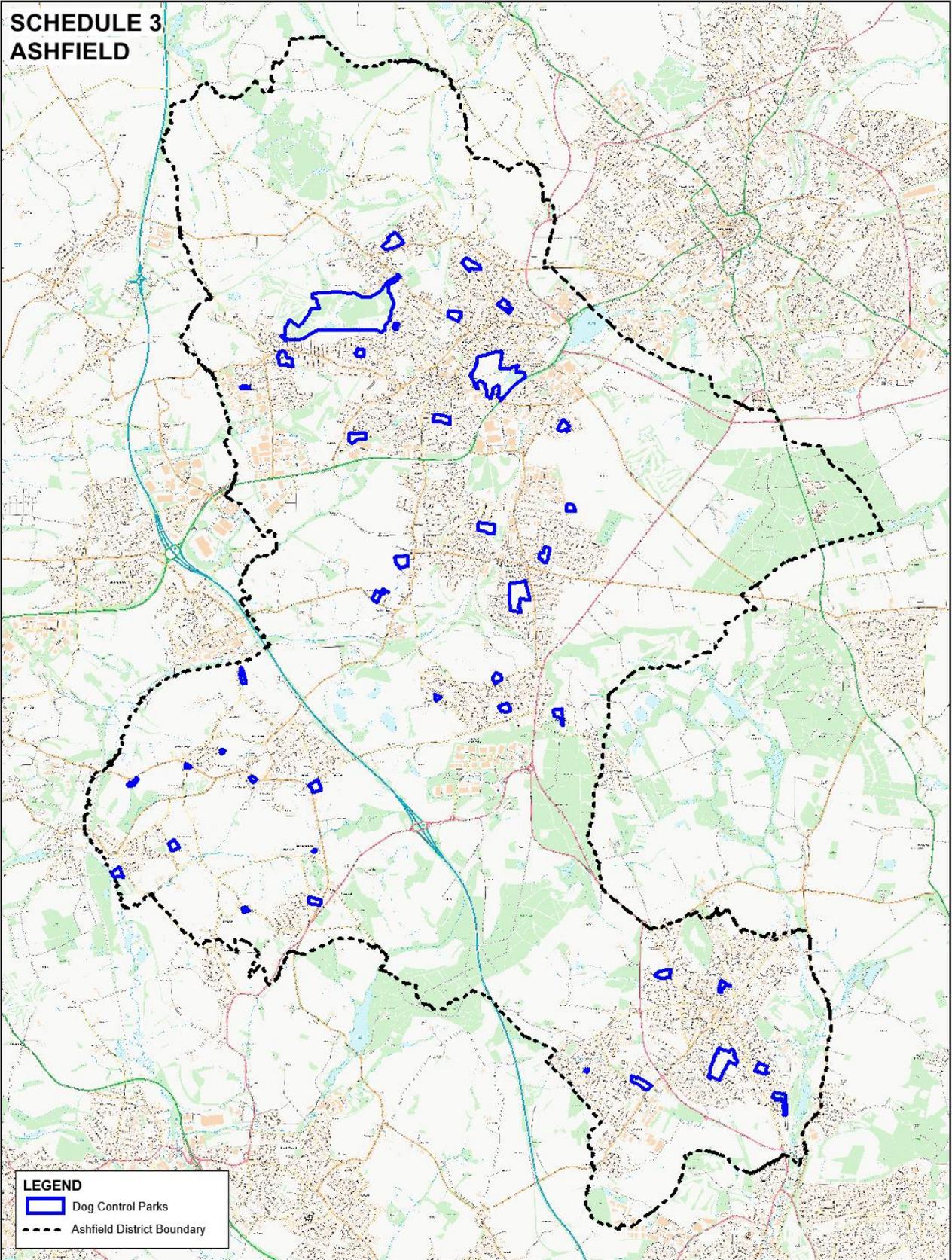
6. Jacksdale

- 6.1 The children's play area at Palmerston Street Recreation Ground, Westwood.
- 6.2 The children's play area and skate park at Main Road Recreation Ground

7. Underwood

- 7.1 The children's play area at Underwood Hill Recreation Ground
- 7.2 The children's play area at Middlebrook Road Recreation Ground
- 7.3 The children's play area at Church Lane Recreation Ground

**SCHEDULE 3
ASHFIELD**



LEGEND
Dog Control Parks
Ashfield District Boundary

**SCHEDULE 3
DOG EXCLUSION AREAS**

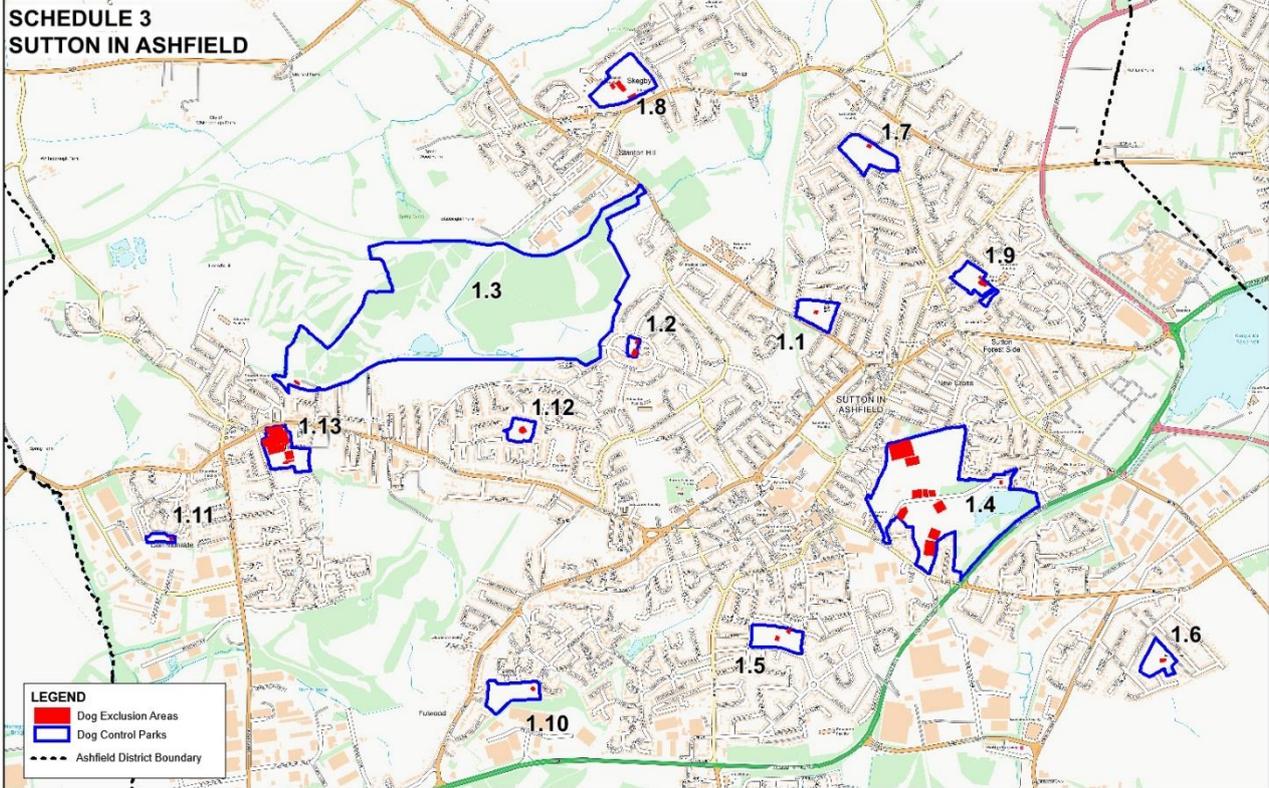
For reference purposes only. No further copies may be made.
© Crown Copyright and database right 2018. Ordnance Survey 100024849.



7 July 2021
A3 | Scale: 1 to 50,000

Ashfield District Council
Urban Road
Kirkby in Ashfield
Nottingham
NG17 8DA

**SCHEDULE 3
SUTTON IN ASHFIELD**



**SCHEDULE 3
DOG EXCLUSION AREAS**

For reference purposes only. No further copies may be made.
© Crown Copyright and database right 2018. Ordnance Survey 100024849.

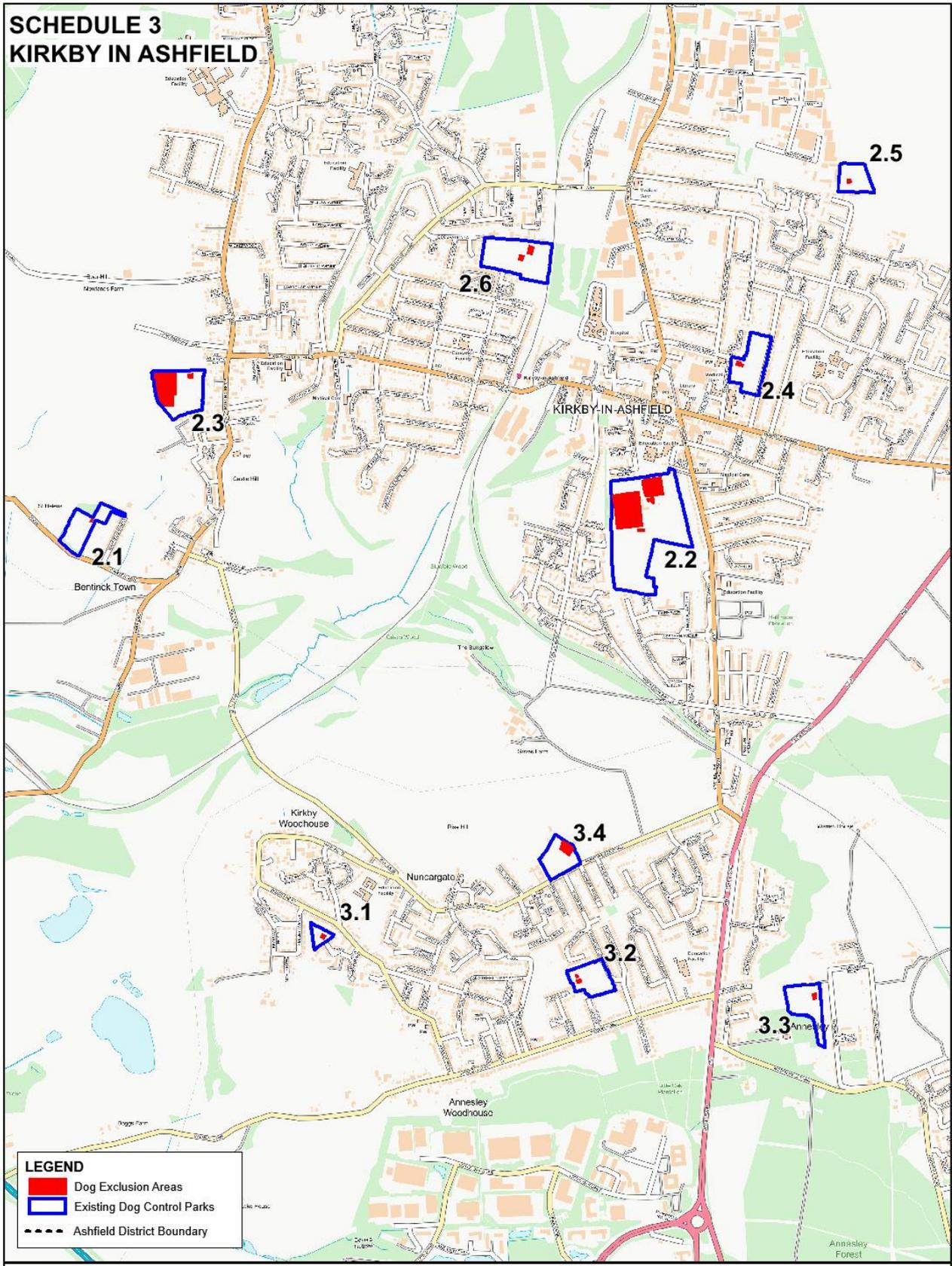


7 July 2021
A3 | Scale: 1 to 15,000

Ashfield District Council
Urban Road
Kirkby in Ashfield
Nottingham
NG17 8DA

DRAFT

**SCHEDULE 3
KIRKBY IN ASHFIELD**



LEGEND

- Dog Exclusion Areas
- Existing Dog Control Parks
- Ashfield District Boundary

**SCHEDULE 3
DOG EXCLUSION AREAS**

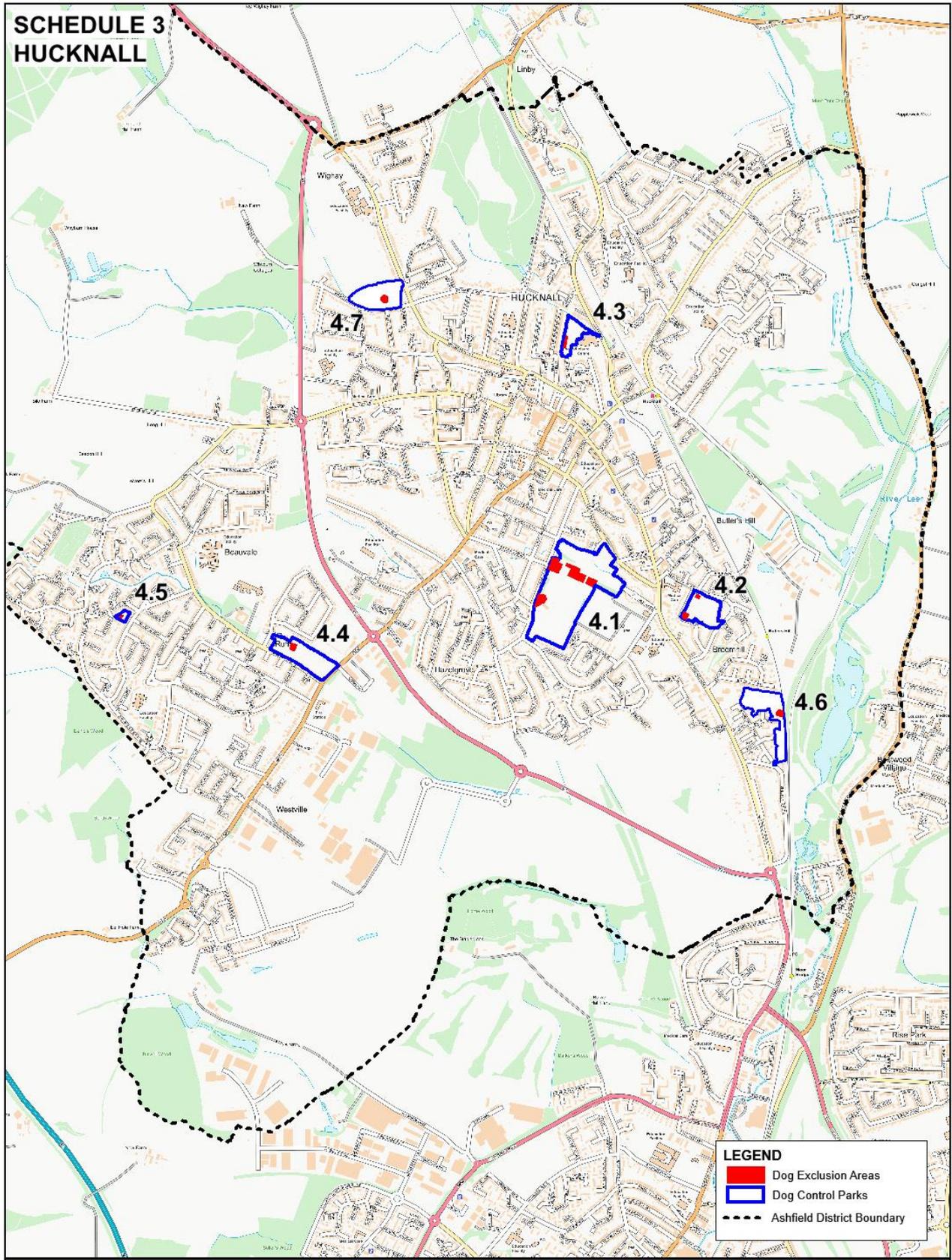
For reference purposes only. No further copies may be made.
© Crown Copyright and database right 2018. Ordnance Survey 100024849.



7 July 2021
A3 | Scale: 1 to 12,500

Ashfield District Council
Urban Road
Kirkby in Ashfield
Nottingham
NG17 8DA

**SCHEDULE 3
HUCKNALL**



LEGEND

- Dog Exclusion Areas
- Dog Control Parks
- Ashfield District Boundary

**SCHEDULE 3
DOG EXCLUSION AREAS**

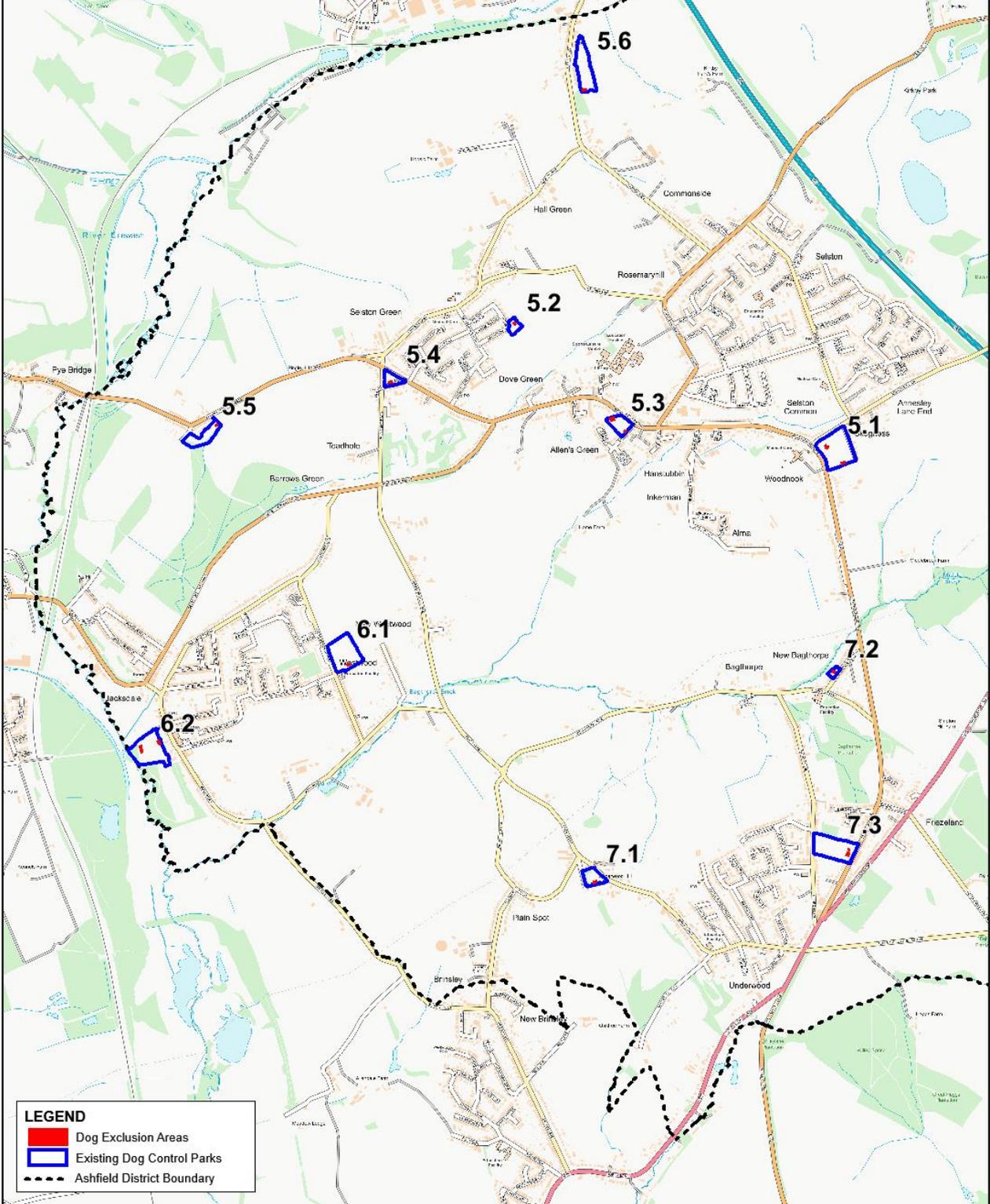
For reference purposes only. No further copies may be made.
© Crown Copyright and database right 2018. Ordnance Survey 100024849.



7 July 2021
A3 | Scale: 1 to 50,000

Ashfield District Council
Urban Road
Kirkby in Ashfield
Nottingham
NG17 8DA

**SCHEDULE 3
RURAL VILLAGES
(Selston, Jacksdale, Underwood)**



LEGEND

- Dog Exclusion Areas
- Existing Dog Control Parks
- Ashfield District Boundary

**SCHEDULE 3
DOG EXCLUSION AREAS**

For reference purposes only. No further copies may be made.
© Crown Copyright and database right 2018. Ordnance Survey 100024849.



7 July 2021
A3 | Scale: 1 to 15,000

Ashfield District Council
Urban Road
Kirby in Ashfield
Nottingham
NG17 8DA

The Public Spaces Protection Order

– Ashfield District Council 2021

Schedule 4 – Dogs lead only areas (Prohibition 7)

Public spaces described in the following Schedule, being Public Places in the Authority's area to which the Act applies, and which is signed as “Dogs on leads area” (whether the sign uses those particular words or words and/or symbols having like effect)

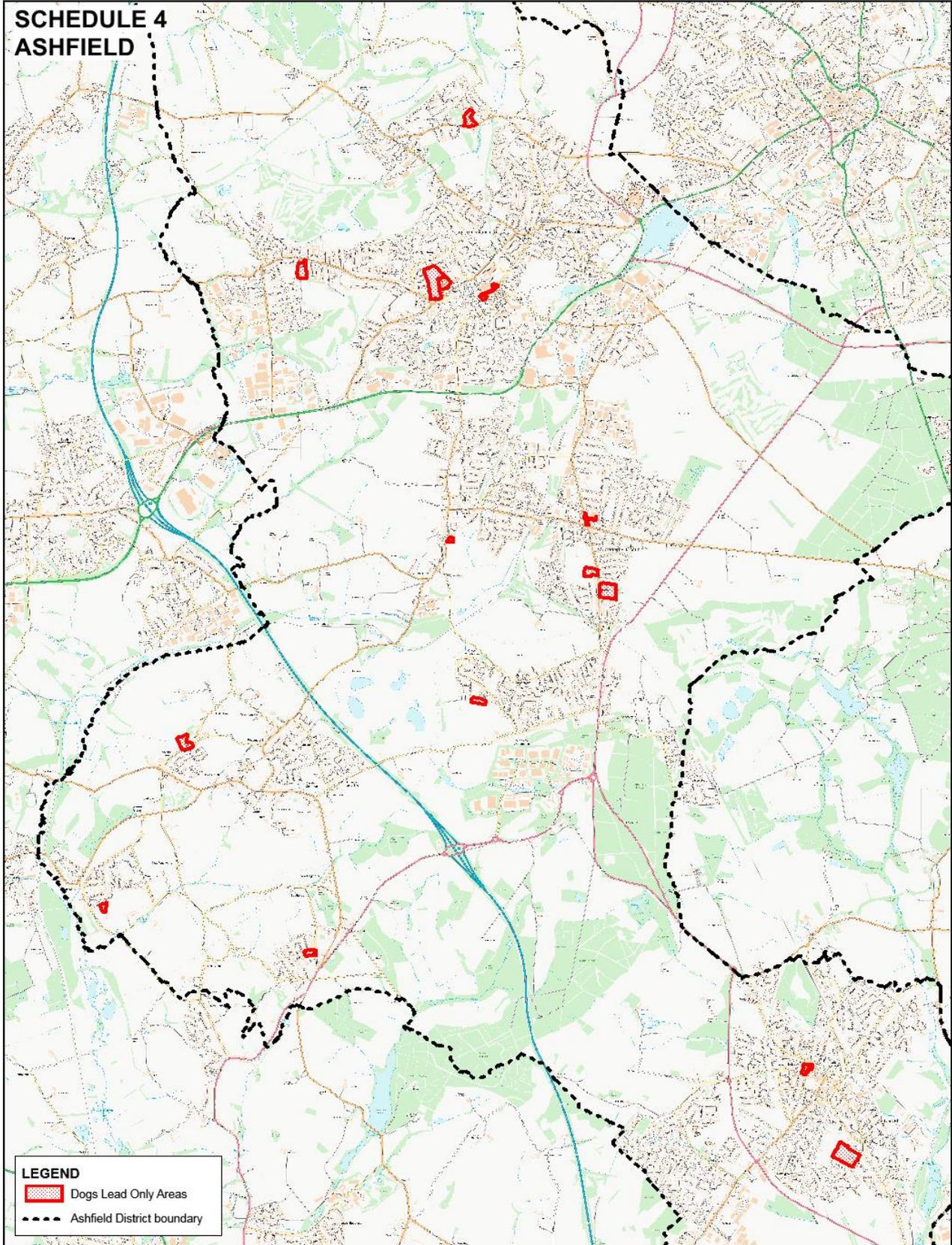
Land Designated Specifically:

1. Each and every length of road (which term includes adjoining pavements, footways and verges) except public footpaths and bridleways

The following areas which are shown edged in red and shaded in red on the plans attached hereto:

2. The following pedestrianised areas: (a) Hucknall Market Place, Hucknall (b) Kirkby Precinct, Kirkby-in-Ashfield (c) Portland Square, Low Street and Sutton Market Place, Sutton-in-Ashfield
3. Cemeteries and churchyards:
 - Hucknall: St Mary Magdalene Church, Hucknall Cemetery
 - Kirkby-in-Ashfield: St Wilfrids Church, Kingsway Old Cemetery, Kingsway New Cemetery, Annesley Woodhouse Cemetery
 - Sutton-in-Ashfield: St Andrews Church, St Mary Magdalenes Church, Sutton Cemetery, Huthwaite Cemetery
 - Rural Villages (Selston, Jacksdale and Underwood): St Helens Church, St Marys Church, St Michaels and All Angels Church

**SCHEDULE 4
ASHFIELD**



LEGEND

-  Dogs Lead Only Areas
-  Ashfield District boundary

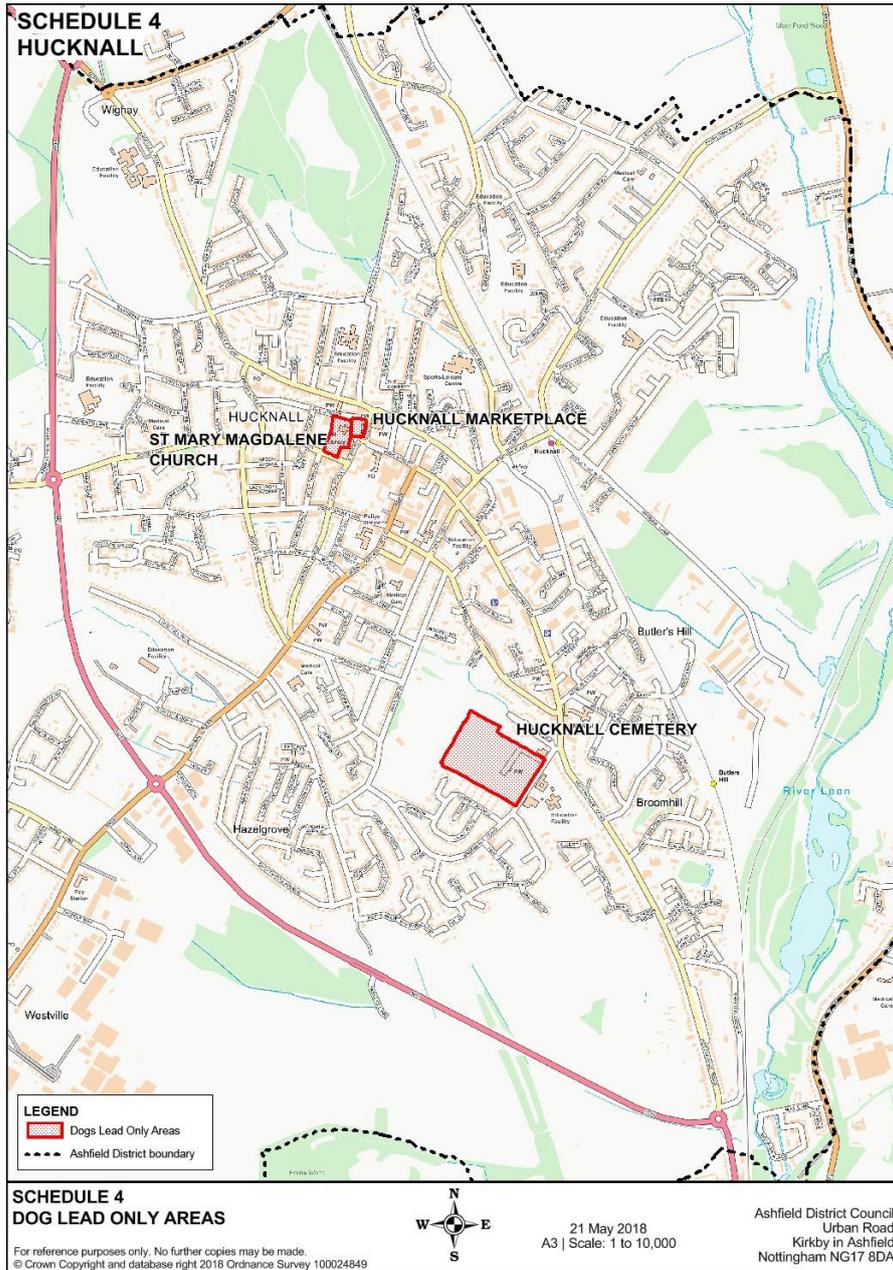
**SCHEDULE 4
DOG LEAD ONLY AREAS**

For reference purposes only. No further copies may be made.
© Crown Copyright and database right 2018 Ordnance Survey 100024849

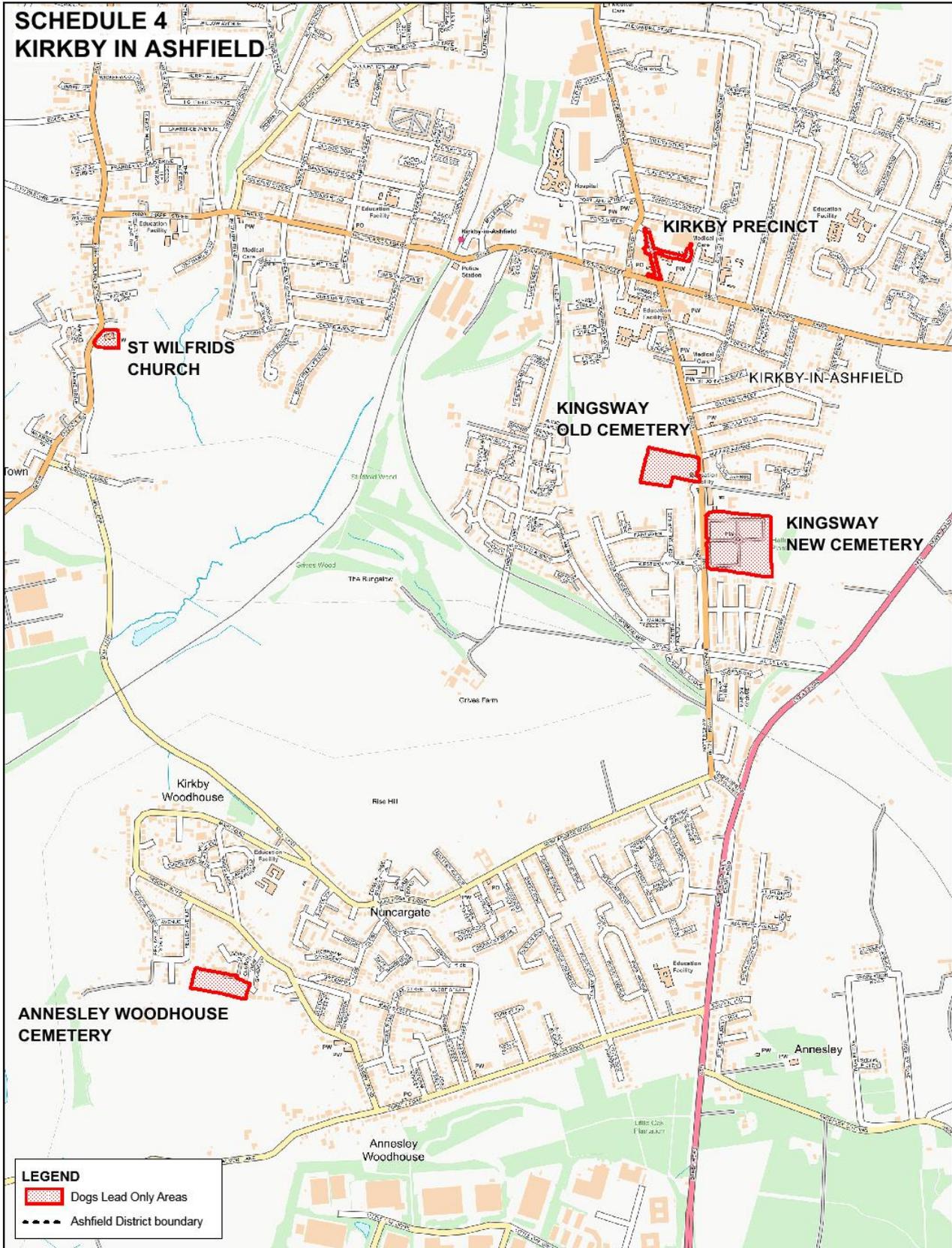


21 May 2018
A3 | Scale: 1 to 40,000

Ashfield District Council
Urban Road
Kirkby in Ashfield
Nottingham NG17 8DA



**SCHEDULE 4
KIRKBY IN ASHFIELD**



**SCHEDULE 4
DOG LEAD ONLY AREAS**

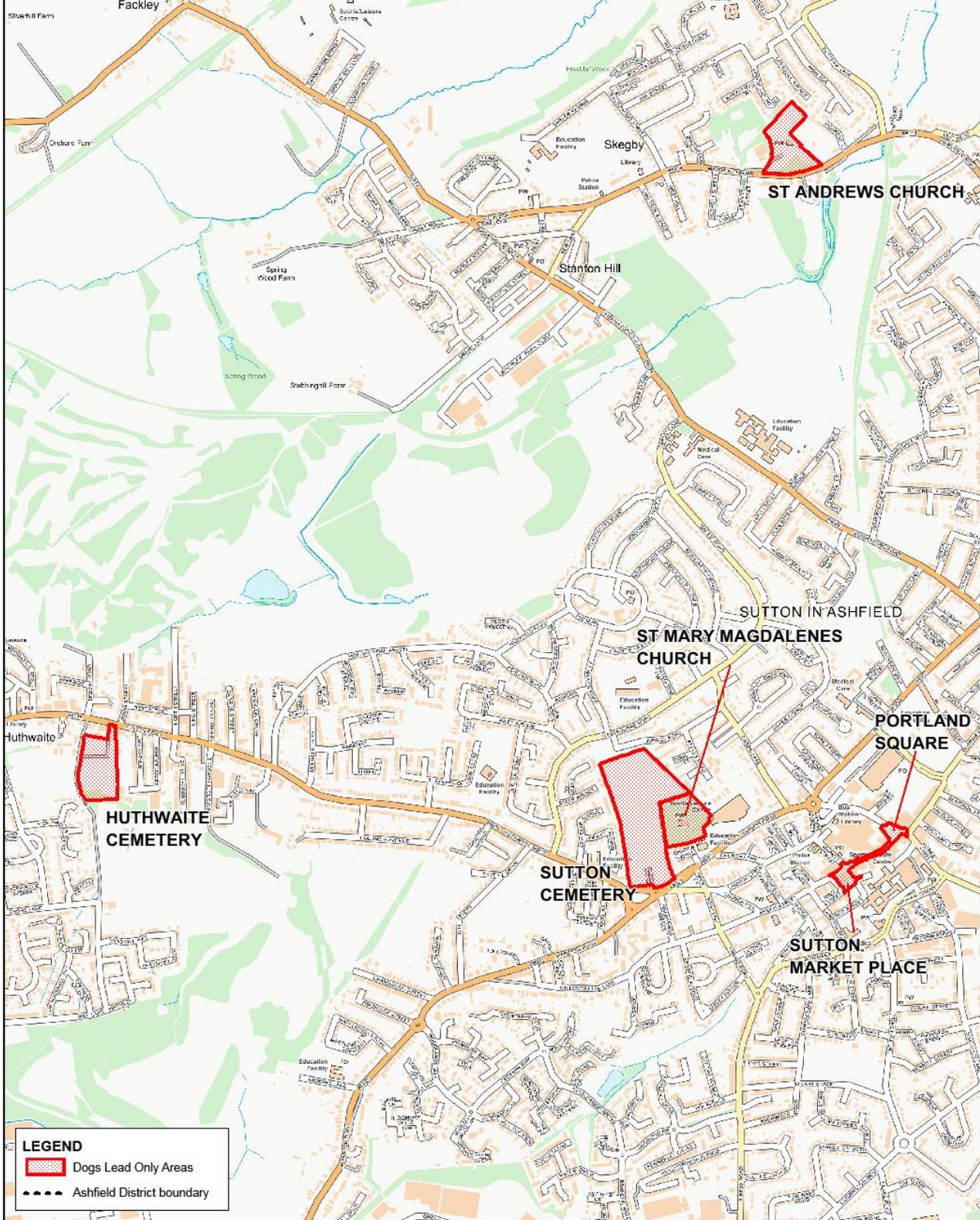
For reference purposes only. No further copies may be made.
© Crown Copyright and database right 2018 Ordnance Survey 100024849



21 May 2018
A3 | Scale: 1 to 10,000

Ashfield District Council
Urban Road
Kirkby in Ashfield
Nottingham NG17 8DA

**SCHEDULE 4
SUTTON IN ASHFIELD**



LEGEND
 Dogs Lead Only Areas
 Ashfield District boundary

**SCHEDULE 4
DOG LEAD ONLY AREAS**

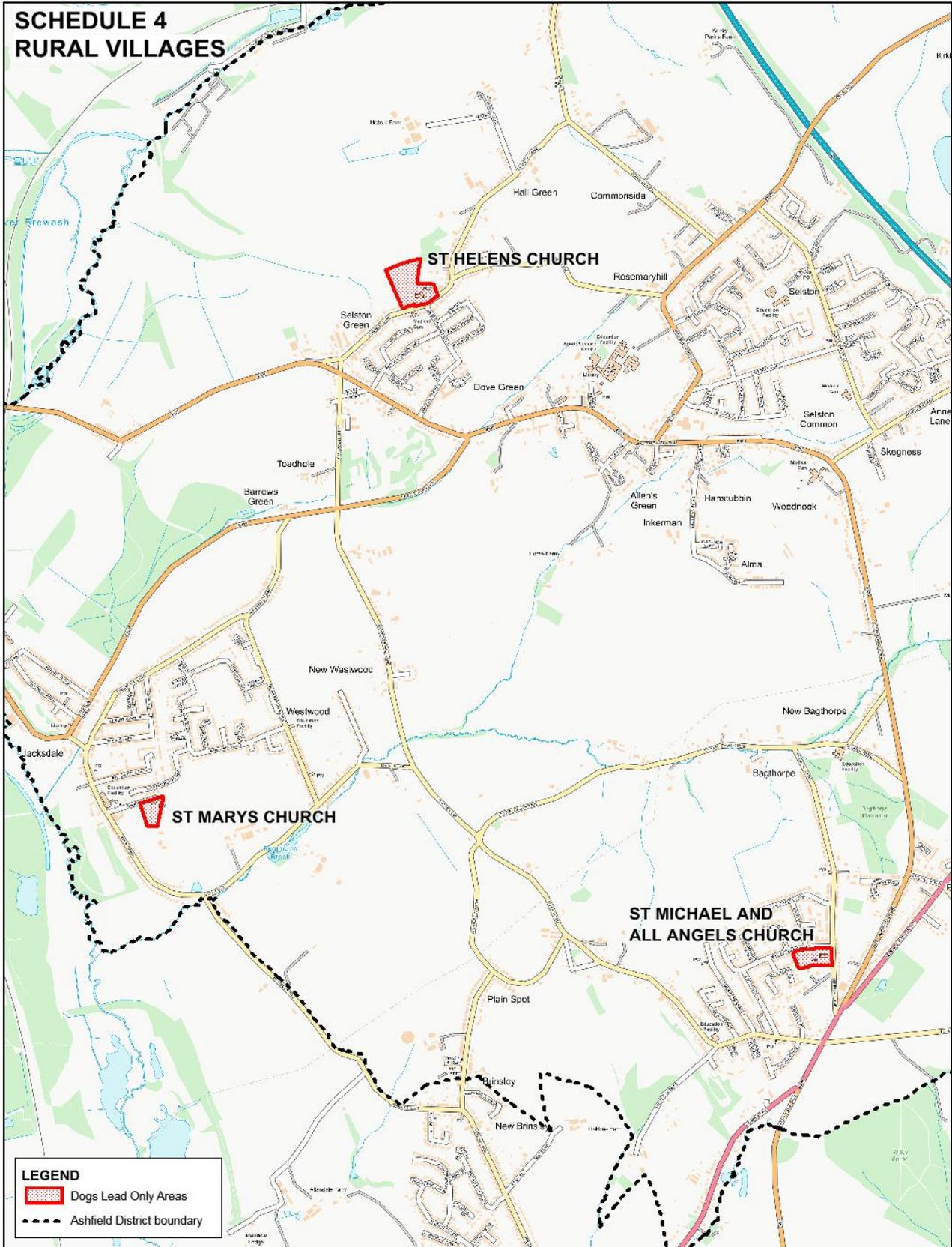
For reference purposes only. No further copies may be made.
 © Crown Copyright and database right 2018 Ordnance Survey 100024849



21 May 2018
 A3 | Scale: 1 to 10,000

Ashfield District Council
 Urban Road
 Kirkby in Ashfield
 Nottingham NG17 8DA

**SCHEDULE 4
RURAL VILLAGES**



LEGEND

- Dogs Lead Only Areas
- Ashfield District boundary

**SCHEDULE 4
DOG LEAD ONLY AREAS**

For reference purposes only. No further copies may be made.
© Crown Copyright and database right 2018 Ordnance Survey 100024849



21 May 2018
A3 | Scale: 1 to 12,500

Ashfield District Council
Urban Road
Kirkby in Ashfield
Nottingham NG17 8DA

The Public Spaces Protection Order

– Ashfield District Council 2021

Schedule 5 (Restricting Access – Prohibition 10)

The highways described in the following Schedule and shown edged by bold red lines on the plan attached, being Public Places in the Authority's area to which the Act applies

Land Designated Specifically (“the Restricted Access Highway”):

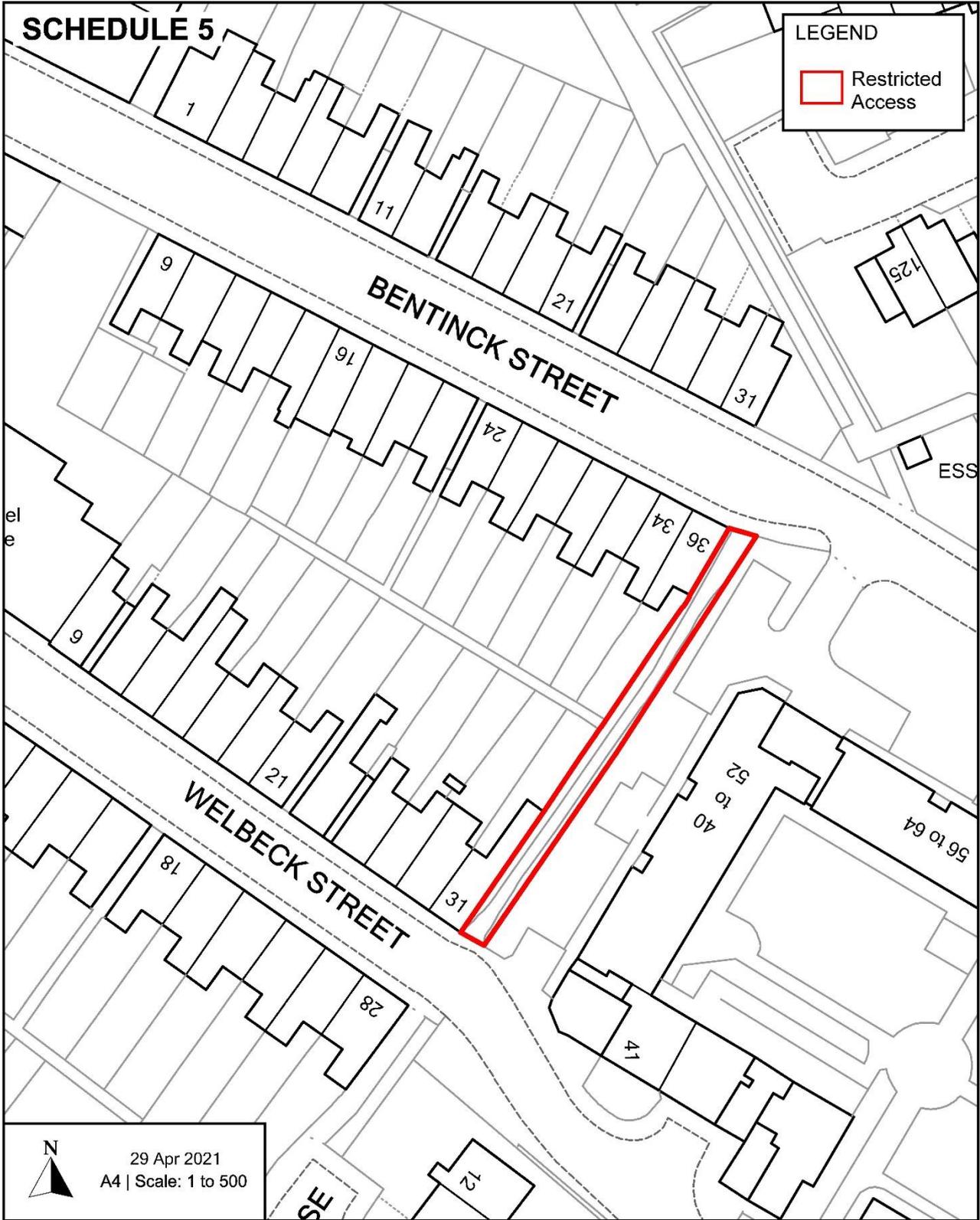
The strip of land between Bentinck Street and Welbeck Street, Sutton-in-Ashfield, Nottinghamshire.

DRAFT

SCHEDULE 5

LEGEND

 Restricted Access



 29 Apr 2021
A4 | Scale: 1 to 500

**SCHEDULE 5 - RESTRICTED ACCESS
BETWEEN BENTINCK STREET AND WELBECK STREET
SUTTON IN ASHFIELD**

Ashfield District Council
Urban Road
Kirkby in Ashfield
Nottingham NG17 8DA

For reference purposes only. No further copies may be made.
© Crown Copyright and database right 2021. Ordnance Survey 100024849.

The Public Spaces Protection Order

– Ashfield District Council 2021

Schedule 6 (Car Cruising – Prohibition 11)

Public spaces described in the following Schedule and shown in bold red lines (the “Restricted Roads”) and within the area shown shaded in blue (the “Restricted Area”) on the plan attached, being Public Places in the Authority's area to which the Act applies

Land Designated Specifically (the “Restricted Area car cruising Junction 27”):

Land at Junction 27 of the M1, Nottinghamshire.

