

# Decision Notice

## Delegated Decision

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<b>Decision No:</b>	<b>DD12</b>
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<b>Subject:</b>	<b>EXTENSION OF DURATION OF PUBLIC SPACES PROTECTION ORDER (DOVER DISTRICT COUNCIL) 2018</b>
<b>Notification Date:</b>	<b>15 September 2021</b>
<b>Decision taken by:</b>	<b>Diane Croucher, Head of Regulatory Services</b>
<b>Delegated Authority:</b>	<b>Delegation 161 of the Scheme of Officer Delegations (Section 6) of Part 3 (Responsibility for Functions) of the Constitution</b>
<b>Decision Type:</b>	<b>Executive Non-Key Decision</b>
<b>Call-In to Apply?</b>	<b>No (<i>Call-in does not apply to Non-Key Officer Decisions</i>)</b>
<b>Classification:</b>	<b>Unrestricted</b>

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<b>Reason for the Decision:</b>	To extend the duration of the Public Spaces Protection Order (Dover District Council) 2018.
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<b>Decision:</b>	In accordance with Section 60(2) of the Anti-Social Behaviour Crime and Policing Act 2014, to extend the duration of the current Public Spaces Protection Order (Dover District Council) 2018 for a period of one year until 26 July 2022.
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1. **Consideration and Alternatives** (*if applicable*)
  - 1.1 See below report.
2. **Any Conflicts of Interest Declared?**
  - 2.1 None.
3. **Summary**
  - 3.1 The Anti-Social Behaviour Crime and Policing Act 2014 (the 2014 Act) provides local authorities with the powers to make Public Spaces Protection Orders (PSPOs). These orders are intended to address activities carried out in public places which have a detrimental effect on the quality of life of those in the locality. Under the 2014 Act a PSPO runs for 3 years unless extended or varied.
  - 3.2 There are currently two PSPOs in place across the Dover District. One relating to dog control and the other relating to alcohol consumption in public places. The PSPO relating to dog control was due to expire on the 26<sup>th</sup> of July 2021 and the PSPO relating to alcohol consumption was extended in October 2020.
  - 3.3 It is DDCs intention to merge these two PSPOs into one order together with putting formal proposals to tackle new and emerging forms anti-social behaviour, subject to public consultation as per the requirements of the 2014 Act.
  - 3.4 In order to give sufficient time to carry out a full and detailed public consultation on a renewed combined order together with an equalities impact assessment, it was considered best to extend the 2018 PSPO in relation to dog control for a period of one year, under delegated authority.



<b>2018-2019</b>	<b>238</b>	<b>5</b>	<b>14</b>	<b>75</b>	<b>6</b>	<b>17</b>	<b>15</b>	<b>27</b>
<b>2019-2020</b>	<b>260</b>	<b>4</b>	<b>11</b>	<b>66</b>	<b>3</b>	<b>13</b>	<b>5</b>	<b>27</b>
<b>2020-2021</b>	<b>182</b>	<b>9</b>	<b>14</b>	<b>56</b>	<b>2</b>	<b>4</b>	<b>8</b>	<b>4</b>

*(Please note that DDC has a zero tolerance policy in respect to dog fouling where a FPN will be issued in the first instance of an offence being witnessed)*

## 6. Resource Implications

- 6.1 Current signage will need additional stickers affixed to them to detail the extension of the 2018 PSPO as per Regulation 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014. The maintenance of PSPO signage is one of the responsibilities of the Council's Dog Warden.
- 6.2 Upon the introduction of a new PSPO new signage will be procured and installed across the district.

## 7. Financial Implications

- 7.1 There is no financial implication to this decision. Signage is already in place and enforcement is carried out by authorised DDC officers. There are no costs to affixing stickers to existing notices. Furthermore, there are no additional officer costs to enforce the PSPO. Annual income generated from fixed penalty notices for breach of the PSPO will also need to be considered.

## 8. Climate Change and Environmental Implications

- 8.1 The continuation of current controls and implementation of new ones contributes to the Council's corporate priority of a "*cleaner sustainable environment*" and "*protection of our environment and open spaces*"

## 9. Corporate Implications

- 9.1 Comment from the Section 151 Officer: Accountancy Section have been consulted and have no further comments to add.
- 9.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this decision notice and has no further comments to make.
- 9.3 Comment from the Equalities Officer: The current proposal does not specifically highlight any equality implications however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <https://www.legislation.gov.uk/ukpga/2010/15/section/149>. It is noted that an equalities impact assessment will be undertaken on the proposed combined order.

## 10. Supporting Information

Appendix 1 – The Public Spaces Protection Order (Dover District Council) 2021

The appendix is too large to attach but can be found here:

<https://www.dover.gov.uk/Environment/Environmental-Crime/Public-Spaces-Protection-Order/PSPO-2021.pdf>

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