

REPORT: 23.130
LAVERSTOCK AND FORD PARISH COUNCIL
SUBJECT: Public Space Protection Order
Report Author: Trudi Deane, Parish Clerk
DATE: 13th October 2023

1. Report Summary

A report to councillors detailing a proposed Public Space Protection Order PSPO.

2. Background

The PSPO has been proposed by Wiltshire Council to tackle street drinking and catapult use linked to anti social behaviour.

3. Summary

The proposals affect those carrying a catapult in the wider Salisbury area, and those drinking alcohol in a public space within the city, which includes part of the Laverstock and Ford Parish. The proposals are subject to a public consultation which expires on 30th October 2023.

The details of the proposals are:-

Salisbury Public Spaces Protection Order

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
WILTSHIRE PUBLIC SPACES PROTECTION ORDER 1 OF 2023

1. Wiltshire Council (the Council), in exercise of the power under Section 59 - 61 of The Anti-Social Behaviour, Crime and Policing Act 2014 (the Act), is satisfied that the following conditions have been met to make a Public Spaces Protection Order (the Order):

(a) activities 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

(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

(c) 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.

2. In this Order "authorised person" means a Police Officer or other person who has been authorised by Wiltshire Police or the Council. The Order applies to [Restricted Area A](#) shown in red and [Restricted Area B](#) shown in blue on the schedule map contained in this Order.

3. A person commits an offence if, without reasonable excuse, an authorised person reasonably believes that the person does any of the following in a public space in restricted [area A and/or B](#):

a) Possesses a catapult, slingshot or similar item capable of launching a missile that could cause harm or damage to a person, animal or property. This does not preclude the powers of the police with regard to an item recognised in law as an offensive weapon.

b) Fails to surrender any catapult, slingshot or similar item capable of launching a projectile in their possession

c) Possesses stones, ball bearings, pellets or similar item(s) capable of being launched as a projectile, by a catapult, slingshot or similar item or by manual force, that could cause harm or damage to a person, animal or property.

d) Fails to surrender any stones, ball bearings, pellets or similar item(s) capable of being launched as a missile by a catapult, slingshot or similar item

4. A person commits an offence if, without reasonable excuse, an authorised person reasonably believes that the person does any of the following in a public space in restricted [area B](#):

a) Is, has been or intends to consume alcohol in breach of a prohibition of this Order

b) Fails to comply when required by an authorised person:

i) not to consume alcohol or anything the authorised person reasonably believes to be alcohol

ii) to surrender anything in his or her possession which is, or the authorised person reasonably believes to be alcohol or a container for alcohol.

5. Pursuant to section 67 of the Act, it is an offence for a person without reasonable excuse:

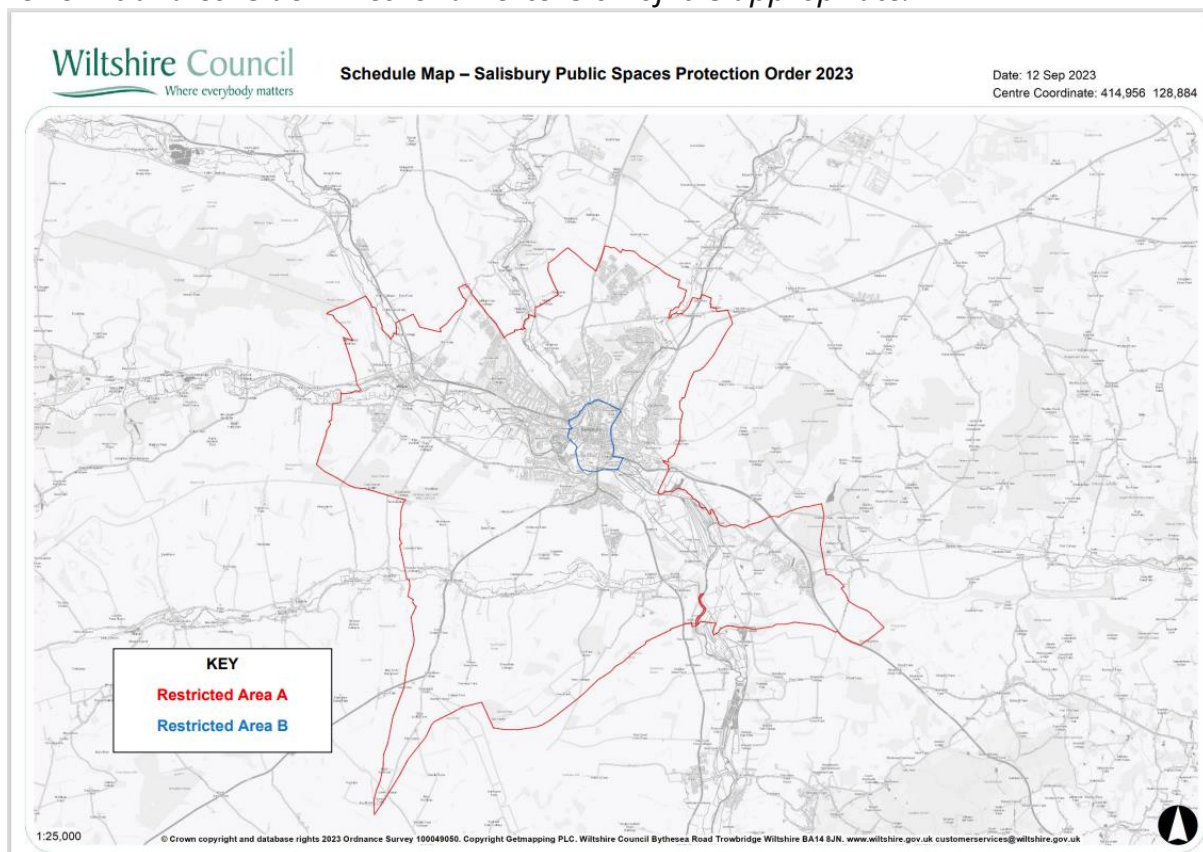
(a) to do anything that is prohibited by the Order, or

(b) to fail to comply with a requirement to which they are subject to under the Order

The Council hereby provides for the issuing of fixed penalty notices (FPNs) to those in breach of the Order. Under these notices, the fine will be £100 and failure to pay a fine will entitle the Council to prosecute and, on summary conviction, the court may impose a fine not exceeding level 3 on the Standard Scale (i.e. currently £1,000). The Council would also be entitled to seek costs against anyone convicted of a breach.

A copy of this Order is available for inspection at the following address during normal business hours: Wiltshire Council Legal Services, County Hall, Bythesea Road, Trowbridge Wiltshire BA14 8JN. Please telephone XXXX, quote reference XXXX, and arrange an appointment in advance. If you would like a copy of the Order, please email: XXXX.

This Order will cease to have effect after the expiry of three years from the date on which it was made. It is intended that before the expiry of the Order, the Council will review it and consider whether an extension of it is appropriate.





4. Recommendations

That the Parish Council considers any comments it wishes to submit.