

**The consultation is open: from 1 March 2021 to 31 March 2021. Representations should be made in writing by Wednesday 31 March 2021 at 11.45pm to:**

Community Safety Team  
Broxbourne Council  
Borough Offices  
Bishops' College  
Churchgate  
Cheshunt  
Herts  
EN8 9XQ

[Community.Safety@Broxbourne.gov.uk](mailto:Community.Safety@Broxbourne.gov.uk)

**Representations received after 31 March, 11.45pm will not be considered as part of the consultation process. For further discussions on the proposed orders, please contact the Community Safety Team on 01992 785555.**

## **Proposal to create a Public Space Protection Order (PSPO) for Broxbourne**

Broxbourne Council, in response to concerns from members of the public and locally elected members, propose to introduce a Public Space Protection Orders (PSPO), under the Anti-Social Behaviour, Crime and Policing Act 2014.

The proposed PSPO for Broxbourne is required to implement a PSPO for Verge, Footway and Footpath Parking. To allow authorised officers, Police and PCSOs to target specific anti-social behaviour offences that occur in public areas. Orders can be tailored to the needs of a local area.

Broxbourne Council believes that creating new PSPOs, which will address the problems of obstructive and inconsiderate parking in the borough, this would have a positive impact on the environmental appearance including preventing of damage caused by vehicles on green spaces.

## **Proposed Orders and Maps**

The proposed Orders and associated maps can be found here:

1. Public Space Protection Order –Verge, Footpath and Footway Parking - Borough Wide

Fixed penalty notices of £100 could be issued to people where this behaviour is persistent or continuing and considered detrimental to the quality of life of those in the local community.

These measures are designed to deal with extreme anti-social behaviour and authorised officers will take a proportionate and common sense approach in their application.

Before implementing the new PSPO, we are consulting with residents, stakeholders and any other interested parties until midnight on Wednesday 31 March 2021. The easiest way to take part in the consultation is to write to the Community Safety Team at [community.safety@broxbourne.gov.uk](mailto:community.safety@broxbourne.gov.uk) or at the above postal address.

## Frequently Asked Questions

### What are Public Spaces Protection Orders (PSPO), how do they work and how are they enforced?

Public Spaces Protection Orders (PSPOs) are a measure to stop individuals or groups committing ASB in public places. The local authority will identify the area that is to be covered by the orders – known as the 'restricted area'.

The PSPO can:

- Prohibit specified things being done in the area
- Require specified things to be done in the area

The prohibitions or requirements can be framed so that they:

- Apply to all persons, or only persons in specified categories, or to all persons except those in specified categories
- Apply at all times, or only at specified times, or at all times except those specified
- Apply in all circumstances, or only in specified circumstances, or in all circumstances except those specified

The local authority is responsible for introducing PSPOs. It is important that the PSPO is used proportionately and that it is not seen to be targeting behaviour of individuals where there is a lack of tolerance and understanding by local people. Consideration must also be given to the Equality Act and Human Rights Act when setting out restrictions or requirements.

The capacity of the local authority, Police and other authorised officers to actively enforce orders must be considered. Appropriate use of signage and information raising awareness of the restrictions and requirements in place are necessary. Enforcement will be proportionate, managed within resources available, and should not affect response to genuine emergency situations.

Any persons found guilty of breaching the order are liable on summary conviction to a fine not exceeding level 3 on the standard scale. Depending on the behaviour in question, the enforcing officer could decide that a fixed penalty notice of up to £100 would be most appropriate sanction. A FPNs cannot be issued to anybody who is under 16 years of age.

#### Can this order be appealed?

Any person who lives in the restricted area or who regularly works in or visits that area may apply to the High Court, within 6 weeks beginning with the date on which the Order is made, to question the validity of the Order on the grounds that the local authority did not have the power to make the Order, or to include particular prohibitions or requirements imposed by the Order, or that a requirement of the Act was not complied with in relation to the Order.

#### How will I know if the Order comes into force?

If the order comes into force, there will be one or more of the following ways that you will know about it:

- Information will be published on the Council's website
- Signage will be erected where appropriate