



# The Anti-social Behaviour, Crime and Policing Act 2014

## The Public Spaces Protection Order – (East Hertfordshire District Council) 2016

### DRAFT

East Hertfordshire District Council (in this order called “the Authority”) hereby makes the following Order:

This Order comes into force on \*\*\*\*\* for a period of 3 years.

#### General provisions:

1. A person who fails to comply with any obligation imposed by this order is guilty of a criminal offence by virtue of section 67(1) of the Anti-social Behaviour Crime and Policing Act 2014. Obligations 3 to 10 and 12 are liable to a fine on summary conviction not exceeding level 3 on the standard scale. A person who fails to surrender any alcohol under provision number 11 is liable on summary conviction not exceeding level 2 on the standard scale.

#### Obligations on persons with dogs:

##### 2. Fouling

If a dog defecates at any time on land to which this order applies a person who is in charge of the dog at the time must remove the faeces from the land immediately unless

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

The offence does not apply to a person who –

- (i) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- (ii) a person with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects who relies upon a dog trained by a prescribed charity for assistance.

This applies to all land in the administrative area of the Authority 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.

### **3. Dogs on leads when directed**

A person in charge of a dog on land to which this order applies must comply with a direction given to him by an authorised officer of the Authority to put and keep the dog on a lead unless

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

An authorised officer may only give a direction under this order if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or to a bird or another animal.

This applies to all land in the administrative area of the Authority to which the public or any section of the public has access, on payment or otherwise, as or right or by virtue of express or implied permission.

### **4. Dogs on leads in specified areas**

A person in charge of a dog must keep the dog on a lead in designated areas unless

- (a) they have reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to them failing to do so.

This applies to the designated areas of land specified in the Schedule 1 of this order.

### **5. Dog exclusion in specified areas**

A person in charge of a dog must not take it into areas of East Herts Council owned land which has been designated to exclude dogs unless

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

The designated areas of land to exclude dogs are

- fenced children's playgrounds and areas which are designated and marked for children's play
- all fenced games areas e.g. tennis, ball courts, skate parks
- all bowling greens
- marked playing pitches – when in use for playing sports

This applies to the land specified in the Schedule 1 of this order

The offence does not apply to a person who –

- (i) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or

- (ii) a person with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects who relies upon a dog trained by a prescribed charity for assistance.

#### **6. Walking more than 4 dogs**

No one person may take more than four (4) dogs onto any East Herts Council owned land at one time.

This applies to the land specified in the Schedule 1 of this order.

#### **7. Failing to produce a receptacle for picking up dog faeces**

A person in charge of a dog on land to which this order applies must have with them an appropriate means to pick up dog faeces deposited by that dog unless

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

The obligation is complied with if, after a request from an authorised officer, the person in charge of the dog produces an appropriate receptacle to pick up dog faeces. A receptacle is defined as any object capable of holding faeces for disposal.

By way of guidance, a trouser or coat or other pocket is not such item for the purpose of this obligation. Neither is a handbag, rucksack, purse or sports bag.

The offence does not apply to a person who –

- (i) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- (ii) a person with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects who relies upon a dog trained by a prescribed charity for assistance.

This applies to all land in the administrative area of the Authority 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.

### **Other Obligations**

#### **8. Use any mechanically propelled vehicle in a disorderly or anti-social manner**

No person shall use any mechanically propelled vehicle (including an electrically propelled vehicle) in a disorderly or anti-social manner on any land (public or private) within the District.

A driver, rider or person in charge of a mechanically propelled vehicle will stop on the direction of an authorised officer. They shall stop driving in the manner identified and provide their details upon request.

The offence would take place should they fail to stop and/or provide their details.

**9. Failing to surrender possession when asked of any new psychoactive substances (commonly known as legal highs) or drug that is not alcohol or tobacco on any land within the District.**

An authorised officer may require a person to surrender substances where it is reasonably believed that their possession or use may result in anti-social behaviour.

The offence will occur when the person fails to surrender possession of “intoxicating substances”.

“Intoxicating Substances” is given the following definition (does not include alcohol, caffeine or nicotine): Substances with the capacity to stimulate or depress the central nervous system.

Exemptions shall apply in cases where the substances are used for a valid and demonstrable business or medicinal use, given to an animal as a medicinal remedy, or are food stuffs regulated by food health and safety legislation.

**10. Prohibition of alcohol consumption in designated areas**

Any person who, without reasonable excuse, continues consuming alcohol in the designated area when asked not to consume alcohol by an authorised officer commits an offence.

Any person who, without reasonable excuse, fails to surrender any alcohol in their possession when asked to do so by an authorised officer commits an offence.

The designated area is the land contained within the proposed area and as shown in the associated plans detailed in Schedule 2.

**11. Shouting swearing, screaming or making any unnecessary noise in a disorderly or anti-social manner where alcohol restrictions are in place**

No person shall either with intent or recklessly, shout, swear, scream or act in a manner to cause annoyance, harassment, alarm or distress to any person within the designated area.

The designated area is the area where alcohol restrictions are in place (as per identified on maps). The offence occurs when the individual identified fails to stop their behaviour upon request of an authorised officer.

The test will be the view of a person of reasonable fairness.

The designated area is the land contained within the proposed area and as shown in the associated plans detailed in Schedule 2.

**12. For the purpose of this order:**

- 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;

- Placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land;
- Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a receptacle for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;
- “an authorised officer” means a Police Officer, Police Community Support Officer, an authorised employee, partnership agency or contractor of East Hertfordshire District Council who is authorised in writing by East Hertfordshire District Council for the purposes of giving directions under the Order.

### **13. Appeals**

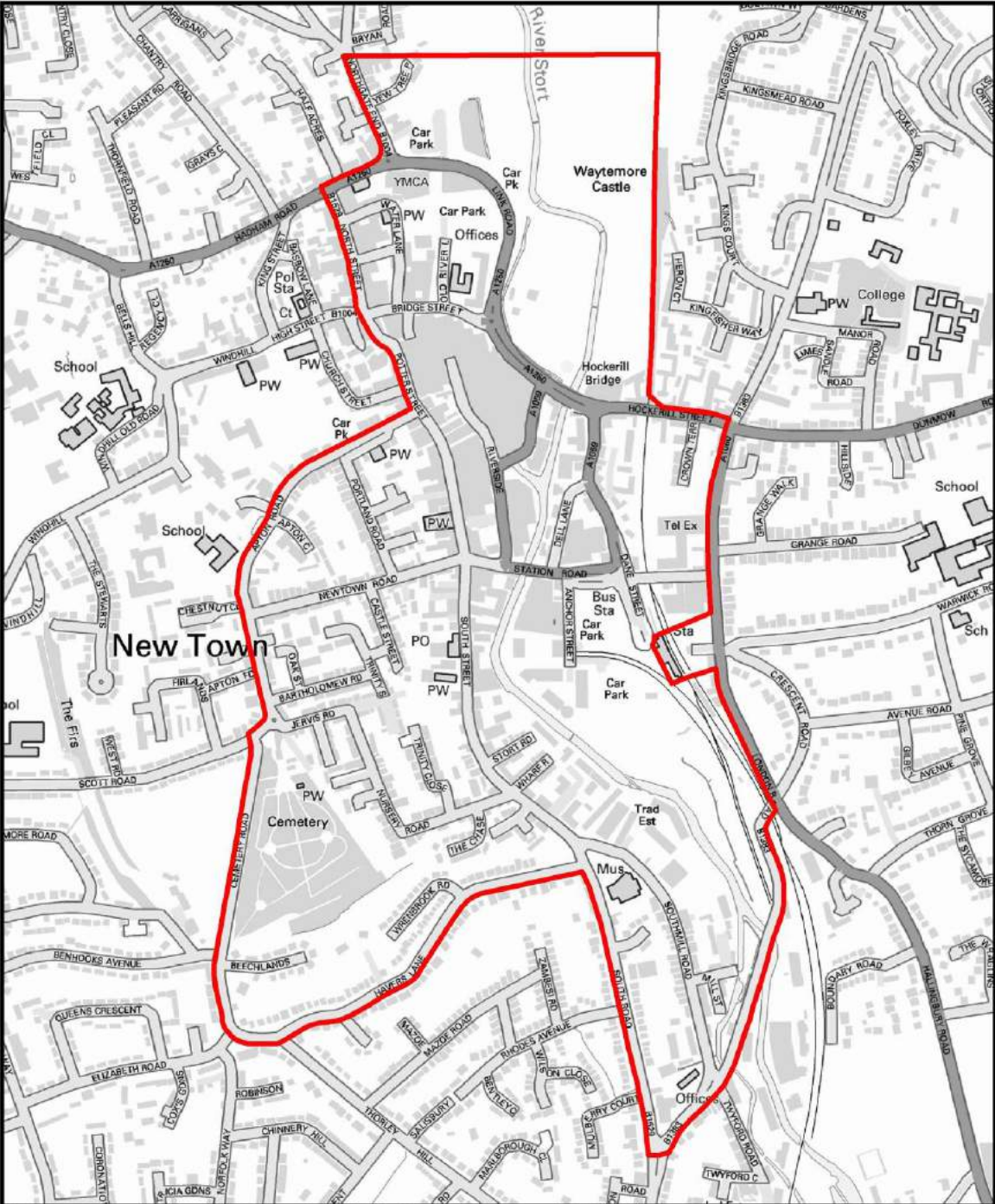
In accordance with Section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement under the Act has not been complied with may apply to the High Court within six weeks from the date upon which the Order is made.

Schedule 1 - List of areas for dog control measures under the proposed Public Spaces Protection Order (PSPO) - Autumn 2015				Dog Fouling (current legislation)	Dogs on lead when directed (new proposal)	Dog on leads in specified areas (replacing current order)	Dog Exclusion in specified areas (play areas, fenced games areas and bowling greens) (replacing current order)	Pitch exclusion - dogs excluded when in use for playing sports (replacing current exclusion order)	Walking more than 4 dogs (replacing current order)	Not having the means to pick up dog faeces (new proposal)
<b>BISHOP'S STORTFORD</b>										
Barrelsdow Road Play Area	Barrelsdow Road	Bishop's Stortford	CM23 2SY	x	x		x		x	x
<b>Bishops Park Open Space</b>	Woodpecker Close	Bishop's Stortford	CM23 4QA	x	x				x	x
Bishops Park - Play Area 1 - Younger	Woodpecker Close	Bishop's Stortford	CM23 4QA	x	x		x		x	x
Bishops Park - Play Area 2 - Older	Woodpecker Close	Bishop's Stortford	CM23 4QA	x	x		x		x	x
<b>Bishop's Stortford Castle Grounds</b>	The Causeway	Bishop's Stortford	CM23 2EQ	X	X				X	X
Burley Road Play Area	Burley Road	Bishop's Stortford	CM23 3LR	x	x		x		x	x
Cannons Close Play Area	Cannons Close	Bishop's Stortford	CM23 2BQ	x	x		x		x	x
Dimsdale Crescent Play Area	Dimsdale Crescent	Bishop's Stortford	CM23 5LJ	x	x		x		x	x
<b>Grange Paddocks Open Space</b>	Rye Street	Bishop's Stortford	CM23 2HH	x	x			x	x	x
Knebworth Court	Knebworth Court, Thorley	Bishop's Stortford	CM23 4HF	x	x		x		x	x
Lower Park Crescent Play Areas	Lower Park Crescent	Bishop's Stortford	CM23 3PT	x	x		x		x	x
Nightingales Play Area	Nightingales	Bishop's Stortford	CM23 5JQ	x	x		x		x	x
Northern Parkland - Play Area 1	Gt Hadham Road	Bishop's Stortford	CM23 4GF	x	x		x		x	x
Northern Parkland - Play Area 2	Gt Hadham Road	Bishop's Stortford	CM23 4GF	x	x		x		x	x
<b>Northern Parkland Open Space</b>	Gt Hadham Road	Bishop's Stortford	CM23 4GF	x	x				x	x
Northolt Avenue Play Area	Northolt Avenue	Bishop's Stortford	CM23 5DT	x	x		x		x	x
Parsonage Lane Play Area	Parsonage Lane	Bishop's Stortford	CM23 5AA	x	x		x		x	x
<b>Red, White &amp; Blue Open Space</b>	Rye Street	Bishop's Stortford	CM23 2BN	x	x				x	x
Southern Country Park Maze	Thorley Lane East	Bishop's Stortford	CM23 4BH	x	x		x		x	x
<b>Southern Country Park Open Space</b>	Thorley Lane East	Bishop's Stortford	CM23 4BH	x	x				x	x
Southern Country Park Play Area	Thorley Lane East	Bishop's Stortford	CM23 4BH	x	x	-	x	-	x	x
The Barrons Play Area	The Barrons, Thorley	Bishop's Stortford	CM23 4HR	x	x		x		x	x
<b>Thorley Wedge Open Space</b>	Sainsbury Thorley Centre	Bishop's Stortford	CM23 4EG	x	x			x	x	x
Thorley Wedge Play Area (Sainsburys)	Sainsbury Thorley Centre	Bishop's Stortford	CM23 4EG	x	x		x		x	x
Trinity Street Play Area	Trinity Street	Bishop's Stortford	CM23 3TJ	x	x		x		x	x
Turners Crescent Play Area	Turners Crescent	Bishop's Stortford	CM23 4FZ	x	x	-	x	-	x	x
Ward Crescent Play Area	Ward Crescent	Bishop's Stortford	CM23 3QR	x	x		x		x	x
Waytemore Road Play Area	Waytemore Road	Bishop's Stortford	CM23 3RD	x	x		x		x	x
Wilson Close Play Area	Wilson Close	Bishop's Stortford	CM23 3US	x	x		x		x	x
<b>HERTFORD</b>										
Norwood Close Allotment Gardens	Norwood Close	Hertford	SG14 2EX	x	x	x			x	x
West Street Allotment Gardens	West Street	Hertford	SG13 8EZ	x	x	x			x	x
Windsor Drive Allotment Gardens	Bentley Road	Hertford	SG14 2EN	x	x	x			x	x
Bentley Road Play Area	Bentley Road	Hertford	SG14 2HE	x	x		x		x	x
Brookside Play Area (goal)	Brookside	Hertford	SG13 7LL	x	x		x		x	x
Burleigh Road	Burleigh Road	Hertford	SG13 7HA	x	x		x		x	x
Campfield Road - Area 1 (MUGA)	Campfield Road	Hertford	SG14 2AD	x	x		x		x	x
Lower Campfield Road - Area 2	Campfield Road	Hertford	SG14 2AD	x	x		x		x	x
Cecil Road Toddlers - Area 1	Cecil Road	Hertford	SG13 8HS	x	x		x		x	x
Cecil Road Juniors - Area 2	Cecil Road	Hertford	SG13 8HS	x	x		x		x	x
Foxholes Avenue Play Area	Foxholes Avenue	Hertford	SG13 7JQ	x	x		x		x	x
<b>Foxholes Open Space</b>	The Elms	Hertford	SG13 7UX	x	x		x		x	x
<b>Hartham Common Open Space</b>	Hartham Lane	Hertford	SG14 1QR	x	x				x	x
Hartham Common - marked pitches	Hartham Lane	Hertford	SG14 1QR	x	x			x	x	x
Hartham Common Younger Children's Play Area	Hartham Lane	Hertford	SG14 1QR	x	x		x		x	x
Hartham Common Older Children's Play Area	Hartham Lane	Hertford	SG14 1QR	x	x		x		x	x
Hartham Common Skate Park	Hartham Lane	Hertford	SG14 1QR	x	x			x	x	x

<b>Schedule 1 (continued) - List of areas for dog control measures under the proposed Public Spaces Protection Order (PSPO) - Autumn 2015</b>				<b>Dog Fouling (current legislation)</b>	<b>Dogs on lead when directed (new proposal)</b>	<b>Dog on leads in specified areas (replacing current order)</b>	<b>Dog Exclusion in specified areas (play areas, fenced games areas and bowling greens) (replacing current order)</b>	<b>Pitch exclusion - dogs excluded when in use for playing sports (replacing current exclusion order)</b>	<b>Walking More than 4 dogs (replacing current order)</b>	<b>Not having the means to pick up dog faeces (new proposal)</b>
<b>Hertford Castle Grounds</b>	Castle Street	Hertford	SG14 1HR	x	x				x	x
Hertford Castle / Castle Gardens Play Area	Hertford Castle	Hertford	SG14 1HP	x	x		x		x	x
<b>Kingsmead Open Space</b> (marked pitches)	Mead Lane	Hertford	SG13 7AX	x	x			x	x	x
Lilbourne Drive Play Area	Lilbourne Drive	Hertford	SG13 7WS	x	x		x		x	x
<b>Millmead Open Space</b>	Millmead Road	Hertford	SG14 3YH	x	x				x	x
Millmead Play Area 1	Millmead Road	Hertford	SG14 3YH	x	x		x		x	x
Millmead Play Area 2	Millmead Road	Hertford	SG14 3YH	x	x		x		x	x
Rowley's Road Play Area	Rowley's Road	Hertford	SG13 7DS	x	x		x		x	x
Rush Green East / Martins Drive Play Area	Martins Drive	Hertford	SG13 7TA	x	x		x		x	x
Rush Green West Play Area	The Elms	Hertford	SG13	x	x		x		x	x
Sacombe Road Play Areas	Sacombe Road	Hertford	SG14 3HL	x	x		x		x	x
Sadlers Farm Open Space	Sadlers Way	Hertford	SG14 2DZ	x	x				x	x
The Ridgeway Play Area & MUGA	The Ridgeway	Hertford	SG14 2JE	x	x		x		x	x
The Ridgeway - The Dell Play Area	The Ridgeway	Hertford	SG14 2JE	x	x	-	x	-	x	x
Watermill Lane Play Area	Watermill Lane	Hertford	SG14 3LB	x	x		x		x	x
<b>WARE</b>										
Beacon Road Play Area	Beacon Road	Ware	SG12 7HY	x	x		x		x	x
<b>Buryfield Open Space</b>	Priory Street	Ware	SG12 0DE	x	x		x		x	x
<b>King George Road Recreation Ground</b>	King George Road	Ware	SG12 7DP	x	x				x	x
King George Road Play Areas	King George Road	Ware	SG12 7DP	x	x		x		x	x
Lady Margaret Gardens - Play Area 1	Lady Margaret Gardens	Ware	SG12 7TL	x	x		x		x	x
Lady Margaret Gardens - Play Area 2	Lady Margaret Gardens	Ware	SG12 7TL	x	x		x		x	x
Lower Bourne Gardens Play Areas	Lower Bourne Gardens	Ware	SG12 0BG	x	x		x		x	x
<b>Postwood Open Space</b>	Walnut Tree Walk	Ware	SG12 9PD	x	x				x	x
Presdale Drive Play Area	Presdale Drive	Ware	SG12 9NS	x	x		x		x	x
<b>Presdales Recreation Area</b> (Open Space)	Walnut Tree Walk	Ware	SG12 9PD	x	x			x	x	x
The Bourne - Childrens Play Areas	The Bourne	Ware	SG12 0PZ	x	x		x		x	x
<b>The Bourne Open Space</b>	The Bourne	Ware	SG12 0PZ	x	x				x	x
<b>Wodson Park</b> - Open Space & Play Area	Wodson Rd, Ermine St	Ware	SG12 0UQ	x	x		x	x	x	x
<b>SAWBRIDGEWORTH</b>										
Edens Mount Play Area	Edens Mount	Sawbridgeworth	CM21 9DU	x	x		x		x	x
Sheering Mill Lane Play Area	Sheering Mill Lane	Sawbridgeworth	CM21 9AD	x	x		x		x	x
Vantorts Close Play Area & Open Space	Vantorts Close	Sawbridgeworth	CM21 9NX	x	x		x		x	x
<b>Pishiobury Park Open Space</b>	Harlow Road (A1184)	Sawbridgeworth	CM21 0AL	x	x				x	x
Pishiobury Park - enclosed picnic area	Harlow Road (A1184)	Sawbridgeworth	CM21 0AL	x	x		x		x	x
<b>RURAL</b>										
Chapelfields Play Area	Chapelfields	Stanstead Abbots	SG12 8HT	x	x		x		x	x
Dellfields Play Area / Wadesmill	Dellfield	Ware	SG12 0TB	x	x		x		x	x
Gladstone Road (Belfour / Founceley Rd)	Gladstone Road	Dane End	SG12 0NH	x	x		x		x	x
Gt. Innings Play Areas (Watton-at-Stone)	Gt Innings South	Watton-at-Stone	SG14 3TQ	x	x		x		x	x
Hillside Crescent Play Area	Hillside Crescent	Stanstead Abbots	SG12 8BQ	x	x		x		x	x
Lawrence Avenue Play Area	Lawrence Avenue	Stanstead Abbots	SG12 8JL	x	x		x		x	x
Stanstead Abbots Parish Play Area	High Street	Stanstead Abbots	SG12 8AS	x	x		x		x	x
Yearlings Close	Yearlings Close	Gt Amwell	SG12 9XP	x	x		x		x	x

**Schedule 2 – Maps of current Designated Public Place Orders (DPPO) in East Herts, which are to be converted into Public Space Protection Orders.**

***Bishop’s Stortford – DPPO (alcohol restriction zone):***



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East Herts Council logo featuring a stylized map of the council area. Below it is a compass rose with the cardinal directions N, S, E, and W.

East Herts Council, Wallfields,  
Pegs Lane, Hertford, SG13 8EQ  
Tel: 01279 655261

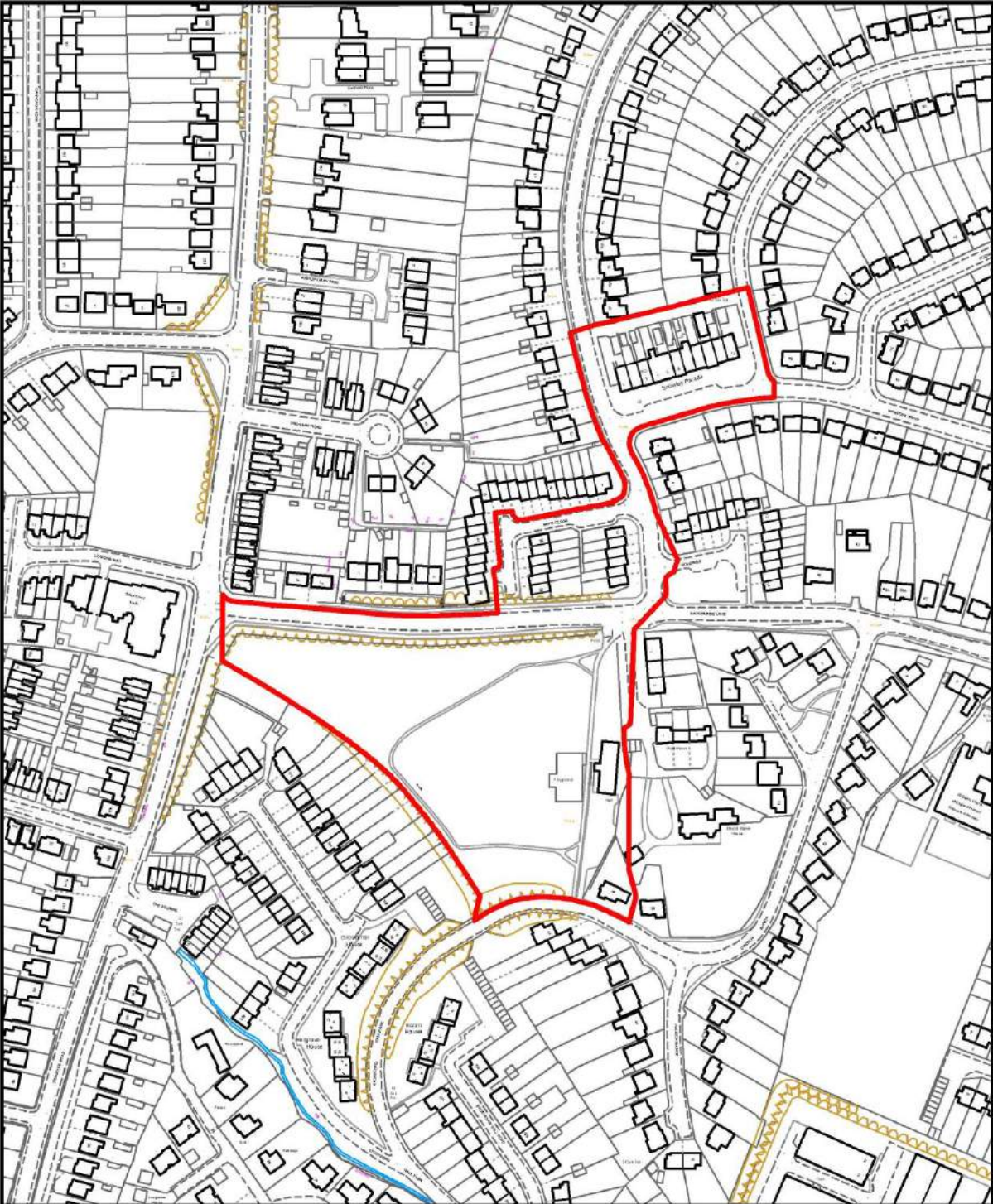
**Bishop’s Stortford DPPO, Bishop’s Stortford, Herts.**

Scale: 1:7,500

Date of Print: 05 March 2013



**Parsonage Lane, Bishop's Stortford – DPPO (alcohol restriction zone):**



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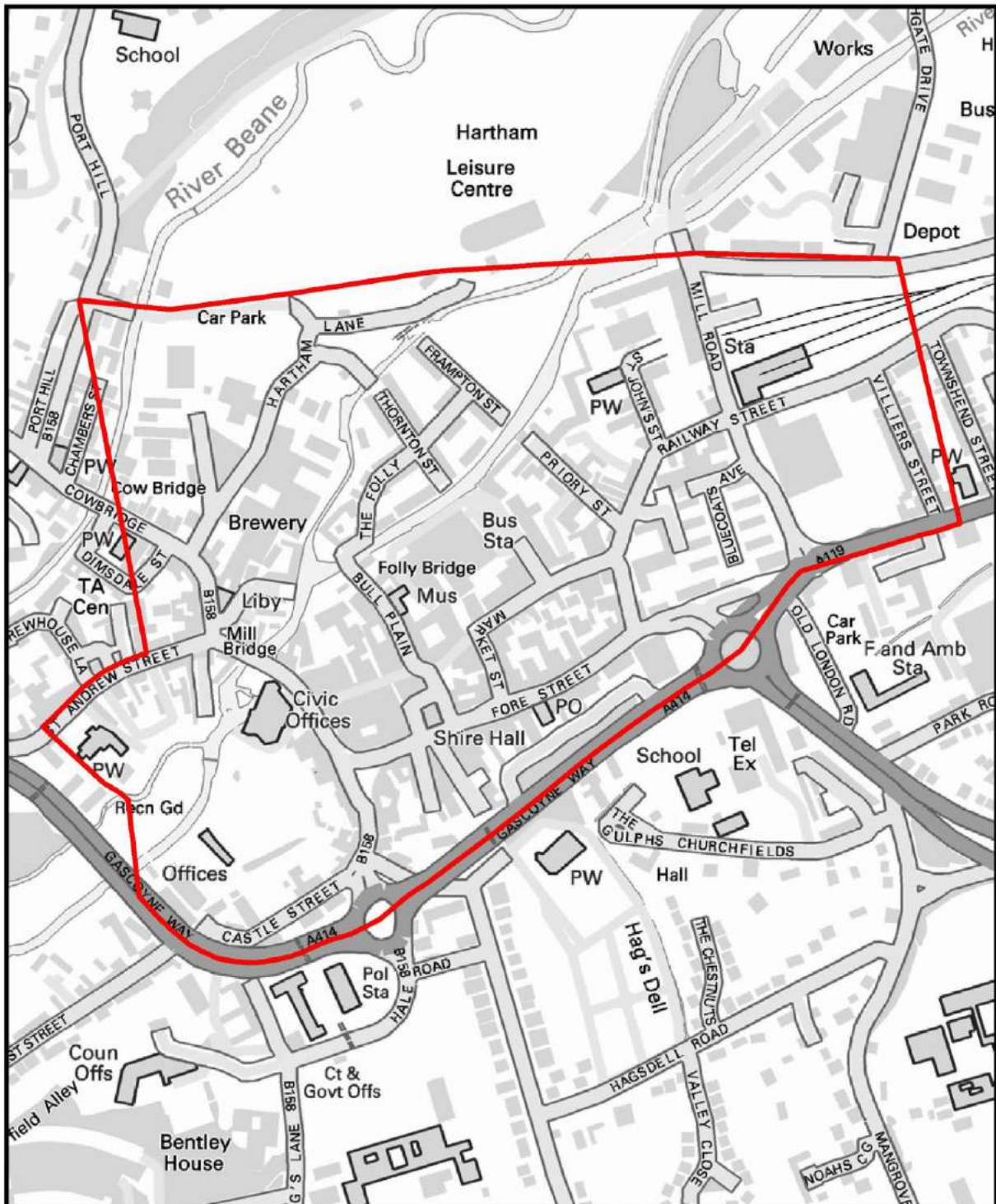
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Parsonage Lane DPPO, Bishop's Stortford, Herts.

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**Hertford Castle, Hertford – DPPO (alcohol restriction zone):**

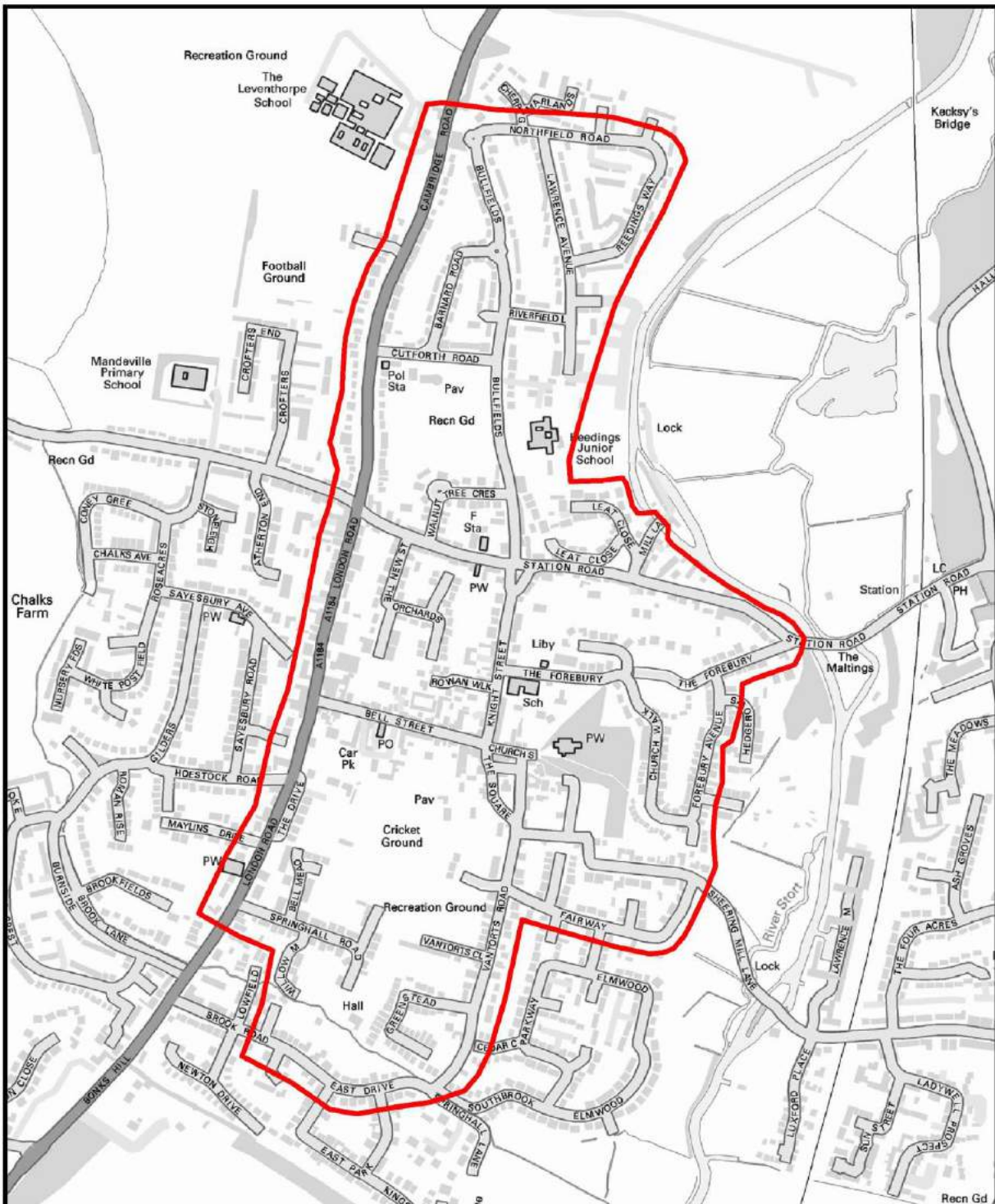


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**Sawbridgeworth – DPPO (alcohol restriction zone):**

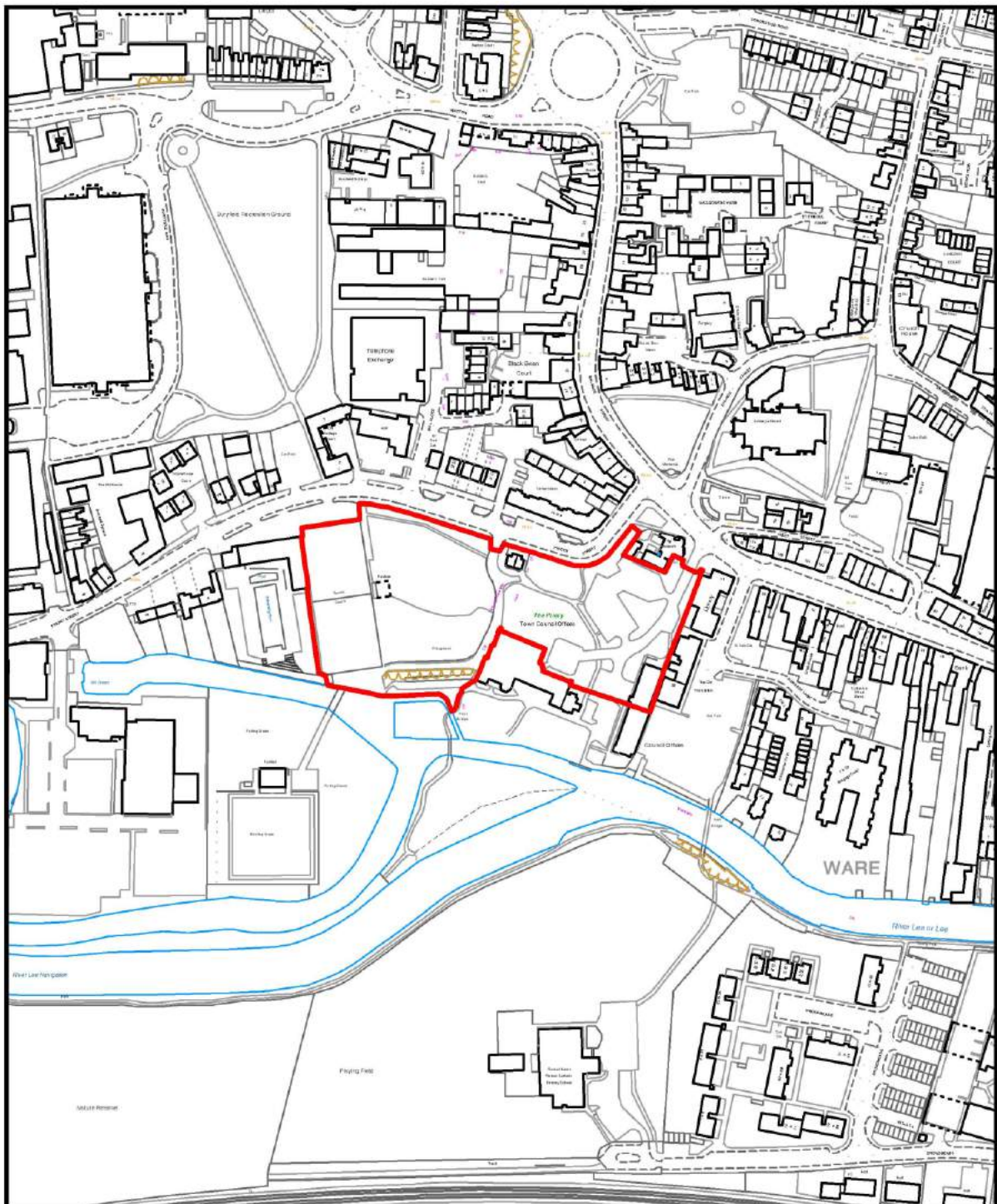


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 Tel: 01279 655261

**Sawbridgeworth DPPO, Sawbridgeworth, Herts.**  
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**Ware Priory– DPPO (alcohol restriction zone):**



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Ware Priory DPPO, Ware, Herts.

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Date of Print: 05 March 2013

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**Proposed new PSPO for Ware – new alcohol restriction zone:**

**Proposed new PSPO for Ware (Autumn 2015)  
Alcohol Restriction Zone outlined**

