

Tunbridge Wells Borough Council  
Public Spaces Protection Orders 2021

Anti-social Behaviour, Crime and Policing Act 2014

**Relevant sections of the legislation**

Section 59 (2) The first condition is that—

- (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, 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.

Section 72 (3) A local authority must carry out the necessary consultation and the necessary publicity, and the necessary notification (if any), before—

- (a) making a public spaces protection order,
- (b) extending the period for which a public spaces protection order has effect, or
- (c) varying or discharging a public spaces protection order.

(4) In subsection (3)—

“the necessary consultation” means consulting with—

- (a) the chief officer of police, and the local policing body, for the police area that includes the restricted area;
- (b) whatever community representatives the local authority thinks it appropriate to consult;
- (c) the owner or occupier of land within the restricted area;

“the necessary publicity” means—

- (a) in the case of a proposed order or variation, publishing the text of it;
- (b) in the case of a proposed extension or discharge, publicising the proposal;

“the necessary notification” means notifying the following authorities of the proposed order, extension, variation or discharge—

- (a) the parish council or community council (if any) for the area that includes the restricted area;
- (b) in the case of a public spaces protection order made or to be made by a district council in England, the county council (if any) for the area that includes the restricted area.

All relevant stakeholders were engaged for the purposes of notification or consultation on **14 July 2021** for the original proposals and **9 September 2021** for the two three-month extensions.

### **Necessary consultation and notification**

included: The Chief Constable, Chief Inspector, CSU Inspector, Police and Crime Commissioner, Greg Clark MP, KCC Community Safety, relevant 'Friends' (parks) groups, dog charities, and land managers.

A Members Briefing was held on 16 July 2021 and further confirmation was provided to all parishes on 27 August 2021.

### **Necessary publicity**

Draft proposals were published as part of the report that went to Cabinet on 24 June 2021 and draft orders have been uploaded to the Council's website along with some explanatory plain-English text.

Further, for measure 2 (Dunorlan Park) a draft order will be published prior to implementation. For measures 4, 5, and 6 draft orders will be published when implementation and enforcement details have been agreed and prior to a further report to Cabinet for approval.