

Cabinet

SUPPLEMENTARY AGENDA

Date: Wednesday, 14 April 2021

Time: 15:00

Venue: Remote meeting, [Venue Address]

Committee members:

For further information please contact:

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Information for members of the public

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

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Agenda

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10 Public Space Protection Orders

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Purpose - To approve 2 public space protection orders

EXEMPT ITEMS:

(During consideration of these items the meeting is not likely to be open to the press and the public.)

To consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part 1 of Schedule 12 A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, members are asked to decide whether, in all circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

Page nos

Date of publication: **Friday, 09 April 2021**

Report to Cabinet
14 April 2021
Report of Interim Director of People and Neighbourhoods
Subject Public Space Protection Orders (PSPO)

Item

10

KEY DECISION

Purpose

This report is seeking approval to make 2 Public Space Protection Orders for the management of alcohol in public spaces within the city centre: and the management of dog fouling within the city boundary

Recommendation

The recommendation is that Cabinet approves:

- 1) the making of both Public Spaces Protection Orders for the management of alcohol in public spaces within the city centre and the management of dog fouling within the city boundary; and
- 2) the advertising in the media that two Public Space Protection Orders have been made.

Corporate and service priorities

The report helps to meet the corporate priority People living well

Financial implications

To be funded from existing budgets.

Ward/s: All Wards

Cabinet member: Councillor Maguire - Safe and sustainable city environment

Contact officers

Louise Rawsthorne: Interim Director of People and Neighbourhoods 01603 987754

Michael Stephenson: environmental health and public protection manager 01603 989586

Background documents

None

Cabinet Report: Renewal of Public Space Protection Orders for the management of alcohol in public spaces within the city centre and the management of dog fouling within the city boundary

Background

1. Public Spaces Protection Orders (PSPOs) were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 (the '2014 Act') and provided local authorities with powers to introduce PSPOs to deal with any particular activities having a detrimental effect on the quality of life of those in the community or any likely activity that would have such an effect.
2. A PSPO effectively prohibits specified things from being done or requires certain things to be done in an area covered by it, whilst ensuring that law-abiding members of the public can use and enjoy that area.
3. A PSPO may be made if the council is satisfied on reasonable grounds that three conditions are met:
 - (i) Activities carried on in a public place within the City either have had, or it is likely that they will have, a detrimental effect on the quality of life of those in the locality;
 - (ii) It is likely that the detrimental effect will be persistent, and such as to make the activities unreasonable;
 - (iii) The effect, or likely effect, is such as to justify the restrictions imposed by the proposed PSPO.
4. The restrictions and requirements set by the council may:
 - (i) Be blanketed or targeted restrictions against certain behaviours by certain groups at certain times;
 - (ii) Restrict access to public spaces (including certain types of highway) where that route is being used to commit anti-social behaviour;
 - (iii) Be enforced by a police officer, police community support officer and council officers.
5. The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order:
 - (i) To prevent the detrimental effect referred to in 3(i) above;
 - (ii) To reduce the detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
6. If the two PSPO's are not made, it will result in the council having no controls in place to tackle anti-social behaviour relating to the consumption of alcohol in public spaces and dog fouling in public spaces and the detrimental effect that such behaviour can have on the quality of life of those in the community.
7. Given the outcome of the public consultation exercises, supported by Police statistics in relation their interventions to manage alcohol the city centre and council statistics in relation to dog fouling complaints received from 2017 to 2020, Cabinet

can be reasonably satisfied that making the PSPO's is necessary to prevent the occurrence or recurrence of the activities identified in the PSPO's, or an increase in the frequency or seriousness of those activities.

8. The council can make a PSPO after 'necessary consultation, publicity and notification' as defined in section 72 of the 2014 Act. This means consulting with the police, the PCC, community representatives and the owners or occupiers of land within the restricted area (to the extent that it is reasonably practicable); publishing the text of the proposed PSPO; and notifying Norfolk County Council.
9. Failure to comply with a PSPO is a criminal offence and can lead to a summary conviction and fine not exceeding level 2 on the standard scale (£500). A person authorised by the Council, a Police Officer and / or a Police Community Support Officer (PCSO) if authorised can enforce the PSPO.
10. When a PSPO is made, the 2014 Act specifies that it cannot last for more than 3 years unless formally extended before it expires by the council that made the PSPO. The effect of this is that the alcohol management PSPO and the dog fouling PSPO made by the council on 1 October 2017 both expired at midnight on 1 October 2020. The 2014 Act provides that the council may extend those PSPOs for a further period of not more than 3 years. However, as a result of Covid 19 priorities, it was not possible to extend these PSPO's earlier but the proposed PSPO's in this report are effectively a renewal of them.

Public Consultation process

11. The creation or extension of a PSPO cannot take place until the necessary consultation, publicity and notification has taken place in accordance with section 72 of the 2014 Act and Home Office statutory guidance¹. This means consulting with the police, PCC, community representatives and the owners or occupiers of land within the restricted area (to the extent that it is reasonably practicable); publishing the text of the proposed PSPO; and notifying Norfolk County Council.
12. In addition to the above, the council has uploaded on to its website:
 - (i) detailed information regarding the consultation process and frequently asked questions;
 - (ii) a link to the consultations to enable them to be completed and submitted by consultees, businesses and members of the public;
 - (iii) a copy of the two draft PSPO's for the management of alcohol within the city centre and the management of dog fouling within the city boundary;
 - (iv) issued a media release.
13. Appendices 3 and 4 detail the full consultee list for each PSPO.

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956143/ASB_Statutory_Guidance.pdf

14. The consultation process needed to take account of the on-going restrictions imposed by the Covid-19 pandemic. It ran from Wednesday 24 March until 23:59 on Monday 5 April 2021.
15. The consultees and the public were able to respond online to the consultations via the council website, although all responses received are considered before a recommendation is made to Cabinet.
16. In addition, when considering any proposed PSPOs, the council must consider any equality issues pursuant to its duty under section 149 of the Equality Act 2010. In line with this, an initial Equalities Impact Assessment (EqIA) was undertaken but did not find that a full EqIA was required for either PSPO as no potential adverse impacts in relation to the decision for this report were considered likely.

Responses to the consultation: Management of alcohol within the city centre

17. The consultation had 45 respondents.
18. There were 3 business respondents and 42 members of the public
19. The outcome of the consultation is as follows:
 - i. 36 respondents supported the making of this PSPO
 - ii. 3 respondents did not support the making of this PSPO
 - iii. 6 respondents did not specify a preference regarding the PSPO

Responses to the consultation: Management of dog fouling within the city boundary

20. The consultation had 82 respondents.
21. There were 2 business respondents and 80 members of the public
22. The outcome of the consultation is as follows:
 - (i) 76 respondents supported the making of this PSPO
 - (ii) 6 respondents did not specify a preference regarding the PSPO

Recommendation following the consultation process

23. The recommendation is that the council makes the Public Spaces Protection Order for the management of alcohol within the city centre and the management of dog fouling within the city boundary.

Next stages

24. The approved PSPO's will be published in a local newspaper. Information will also go on the council's website, be published on social media and signage will be erected in relevant areas to maximise publicity of the PSPO's.
25. Upon publishing there is a 6 week period when the council's decision can be challenged by application to the High Court. The PSPO's remains operative during the appeal unless the High Court suspends it.
26. Additionally, the orders can be reviewed by Judicial Review within 3 months of it being made.

Appendix 1: Draft Public Space Protection Order – management of alcohol in public spaces

THE NORWICH CITY COUNCIL (CONTROL OF ALCOHOL) PUBLIC SPACES PROTECTION ORDER NO. 1 of 2021

1. This Public Spaces Protection Order is made by Norwich City Council of City Hall, St Peters Street, Norwich, Norfolk (hereinafter called “the Council”). The Council makes this Order pursuant to section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 which Act is hereafter referred to as “the Act”.
2. In this Order “authorised person” means a person authorised for the purposes of section 63 of the Act by the Council.
3. The Council makes this Order as the Council is satisfied upon reasonable grounds firstly that anti-social behaviour associated with drinking alcohol in public places has been carried on or is likely to be carried on within the public places identified in this Order and that these activities have had or are likely to have a detrimental effect on the quality of life of those living in the locality and further that the effect or likely effect of this activity is or is likely to be of a persistent or continuing nature and is or is likely to be such as to make the activity unreasonable and justifies the restrictions imposed by this Order.
4. No person shall at any place to which this Order applies consume alcohol after being warned not to consume alcohol by a constable or an authorised person.
5. A warning given under paragraph 4 of this Order may be given verbally or in writing and in either case a warning shall be in effect for a period of one week from the date and time the warning was given.
6. The prohibition obtained in paragraph 4 of this Order does not apply to any place specified in section 62 of the Act as a place where a prohibition in a Public Spaces Protection Order on consuming alcohol does not apply.
7. The public places within the City of Norwich identified specifically in Schedule 1 of this Order and the public places within the City of Norwich identified by

description in Schedules 2A and 2B of this Order are the places to which this Order applies, subject to the exclusions contained in section 62 of the Act.

8. Pursuant to section 75 of the Act this Order is in effect on 1st May 2021 and continues in force for a period of three years from that date unless it is extended under section 60 of the Act, or varied or discharged under section 61 of the Act.
9. Under section 63 of the Act where a constable or an authorised person reasonably believes that a person is or has been consuming alcohol in breach of a prohibition in a Public Spaces Protection Order or intends to consume alcohol in circumstances in which doing so would be a breach of a prohibition in a Public Spaces Protection Order then the constable or authorised person may require that person not to consume in breach of the Order alcohol or anything which the constable or authorised person reasonably believes to be alcohol and under section 63(2)(b) of the Act a constable or an authorised person may require that person to surrender to the constable or authorised person anything in their possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.
10. A constable or an authorised person who imposes a requirement on a person under section 63 of the Act must tell the person that failing without reasonable excuse to comply with the requirement is an offence. A requirement imposed is not valid if the constable or authorised person fails to show to the person receiving the requirement evidence of his or her authorisation if they are asked to do so by that person.
11. A constable or an authorised person may dispose of anything surrendered under sub-section (2)(b) of section 63 of the Act in whatever way he or she thinks appropriate.
12. A person who fails without reasonable excuse to comply with a requirement imposed on him or her under section 63 of the Act commits an offence and is liable under summary conviction to a fine not exceeding level 2 on the standard scale.
13. Under section 67 of the Act it is an offence for a person without reasonable excuse to do anything that the person is prohibited from doing by a Public Spaces Protection Order, or to fail to comply with a requirement to which the person is subject under a Public Spaces Protection Order. A person guilty of an offence under section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale. However, a person does not commit an offence under section 67 of the Act by failing to comply with a prohibition or requirement that the Council did not have power to include in a Public Spaces Protection Order.

14. Consuming alcohol in breach of this Order is not an offence under section 67 of the Act but reference should be made to section 63 of the Act.
15. This Order may be cited as the Norwich City Council (Control of Alcohol) Public Spaces Protection Order No. 1 of 2021.

Schedule 1 - Designated public places identified specifically -

Public Highway

Abbey Lane	Bracondale	Colegate
Agricultural Hall	(between its	Copeman
Plain Alan Road	junctions with King	Street
Albion Way	St and Queens	Corncutters
Alderson	Road) Brigg Street	Close
Place All	Broadsman Close	Corporation
Saints Green	Brooke Place	Quay Coslany
Alms Lane	Bull Close	Square
Anchor Quay	Bull Close Road	Coslany Street
Arcade Street	(between its	Cotman Fields
Argyle Street	junctions with	Cow Hill
Back of the	Magpie Road and	Cowgate
Inns Bakers	Charlton Road)	Cross
Road	Bull Lane	Lane
Balderston	Calvert Street	Cross
Court Bank	Canary Way	Street
Plain	Carrow Hill	Crown
Bank Street	Carrow Road	Road
Barn Road	Castle	Davey
Barnards	Meadow	Place
Yard Barnes	Castle Street	Dove
Yard Barwells	Cathedral	Street
Court	Street	Duke
Bedding Lane	Catherine	Street
Bedford	Wheel	Eastbourne
Street Ber	Opening	Place
Street Bethel	Cattle Market	Ebenezer
Street	Street Chantry	Place Edwards
Bishopbridge	Road Chapel	Street Elm Hill
Road Bishopgate	Lake Chapelfield	Esdelle Street
Blackfriars Street	Road Charing	Exchange
Botolph Street	Cross Chatham	Street Farmers
Boulton Street	Street Clarence	Avenue
Bridewell Alley	Road Cleveland	Finklegate
	Road Coburg	Fishergate
	Street	Fishers Lane
		Foulgers
		Opening Friars
		Quay

Fye Bridge Street
Gaol Hill
Garden Place

Garden Street	Street	
Gas Hill	Little	New Mills Yard
Gentlemans	Bull	Ninhams Court
Walk	Close	Norman
Gildencroft	Little	Buildings Oak
Gillings Yard	London	Street
Golden Ball	Street	One Post
Street	Lobster	Alley Opie
Governors	Lane	Street Orford
Court Golden	London	Hill Orford
Dog Lane	Street	Place Orford
Grapes Hill	Lower	Street Palace
Greyfriars Road	Clarence	Street
Grouts	Road	Paradise
Thoroughfare	Lower	Place
Guildhall Hill	Goat	Parsonage
Gurney Road	Lane	Square Peacock
(between its	Magdale	Street Pigg Lane
junctions with	n Close	
Cannell Green and	Magdale	Pitt Street
Ketts Hill)	n Street	Plough Lane
	Magpie	Plough Yard
Hansard	Road	Plumbers Arms
Lane Hay Hill	Maidston	Alley Pottergate
Haymarket	e Road	
Halls Lane	Malthous	Prince of Wales
Horns Lane	e Road	Road Prince of
	Mandela	Wales Yard Princes
Ice House Lane	Close	Street
Jenkins Lane	Mariners	Pyes Yard
Ketts Hill (between	Lane	Quakers
its junctions with	Market	Lane
Gurney Road and	Avenue	Quayside
Ladbroke Place)		
King Street	Marquis of	Queen of Hungary
Koblenz	Granby	Yard Queen Street
Avenue	Row	
Ladbroke	Mounterga	Queens Road
Place	te	Rampant Horse
Leonards	Music	Street Recorder
Street Leopard	House	Road
Court Lily	Lane	Red Lion
Terrace	Musp	Street Redwell
	ole	Street Rigsbys
Lion and Castle	Street	Court River
Yard Little Bethel		Lane Riverside

Riverside Road
Robert Gybson Way Rose
Avenue
Rose Lane Rose Yard
Rosemary Lane Rouen
Road School Lane
Scotts Yard
Sherbourne Place
Southgate Lane St
Andrews Hill
St Andrews Street St
Anns Lane
St Augustines Street St
Benedicts Street St
Catherines Plain St
Clements Alley

St Crispins Road,
inc. subway
St Faiths
Lane St
Georges
Alley St
Georges
Plain
St Georges Street
St Gregorys Back
Alley St Gregorys
Alley
St James Close
(between its
junctions with
Cannell Green and
Barrack Street)
St John
Maddermarket St
Johns Alley
St Julians Alley
St Lawrence Lane
St Lawrence Little
Steps St Lawrence
Steps
St Leonards
Road (between
its junctions with
Ladbroke Place
and Gas Hill)
St Margarets
Alley St
Margarets
Street
St Martin at Oak
Wall Lane
St Martin at
Palace Plain
St Martins
Lane St
Marys Alley
St Marys
Plain St
Miles Alley
St Miles
Lane
St Pauls

Pauls Square
St Peters
Street St
Saviours Alley
St Saviours
Lane St
Stephens Plain
St Stephens
Street St
Swithins Alley St
Swithins Road
St Swithins
Terrace St
Vedast Street
Stamp Office
Yard Stepping
Lane Stracey
Road Stuart
Gardens Stuart
Road
Surrey
Grove
Surrey
Street
Sussex
Street Swan
Lane

Swan Yard
 Talbot Square
 Ten Bell Lane
 The Lathes
 Theatre Street
 Thompsons
 Yard Thorn
 Lane
 Thoroughfare Yard
 Thorpe Road
 (between its junctions
 with Riverside Road
 and Clarence Road)
 Three Kings Lane
 Timberhill
 Tombland

Public Highway

Tombland Alley
 Turners Square
 Upper Goat Lane
 Upper Green Lane
 Upper King Street
 Upper St Giles
 Street
 Waggon and Horses
 Lane Wall Lane
 Waterside
 Watlings
 Court Watts
 Court
 Weavers
 Lane
 Wellington
 Lane
 Wensum
 Street

Westlegate
 Westwick
 Street Wherry
 Road White
 Lion Street
 Whitefriars
 Whitings Court
 William Booth
 Street Willis
 Street
 Willow Lane
 Winterton
 Lane Wrights
 Court York
 Alley Zipfels
 Court

Bagleys Court
 Blickling
 Court
 Clement
 Court Gurney
 Court
 Kingsgate
 Court Malzy
 Court Mayes
 Court Old
 Barge Yard

Pipe Burners
 Yard Ravens
 Yard

St Lawrence
 Close Stuart
 Court Wades
 Court Winkles
 Row

Public Open Space

Argyle Street Open
 space Becketts Chapel

Black Tower, Carrow
 Hill Chapelfield
 Gardens City Hall
 Open Space Elm Hill
 Gardens Gildencroft

Barwells Court
 Carleton
 Gardens
 Cookes Court
 Hobrough Lane
 Lanes Yard
 Mandells Court
 Norris Court
 Old Meeting House
 Alley Post Office Yard
 Sackville Place
 St Michael at Pleas
 Three Tuns Court
 Water Lane
 Wrights Foundry Yard

Beckham
 Place Chestnut
 Court Gaffers
 Court Kings
 Head Lane
 Lowes Yard
 Mary Chapman Court
 Old Bank of England Court
 Orford Yard
 Queen Elizabeth
 Close St Giles
 Terrace Strangers
 Court Throckmorton
 Yard Websdales
 Court

Open Space Hay Hill Open
 Space James Stuart Gardens
 Ketts Heights

Leonards Street Open Space Market
 Avenue Open Space Memorial
 Gardens

Oasis Site Fishergate
Riverside Walk
(between the Bridges
over the River Wensum
at Carrow Road and St
Crispins Road
St Andrews Garth

St Andrews Hall Open
Space St Georges Street
Open Space St Gregorys
Alley Open Space
St Margarets Churchyard Play
Area St Pauls Open Space
Wellington
Green Yacht
Station

Other Places to which the Public have access

Paved area in front of the Advice Arcade, 4 Guildhall Hill Anglia Square	Castle Green	Castle Mall
Norwich Cathedral Close	Provision Market	Royal Arcade

Riverside Entertainment Centre

The Chantry

Forum Open Space / Piazza

Churchyard of St Andrews Church, Bridewell
Alley Churchyard of the Church of St
Augustine Churchyard of the Church of St
George, Colegate

Churchyard of the Parish Church of St George,
Tombland Churchyard of the Church of St Giles, St
Giles Street Churchyard of the Church of St John the
Baptist, Timberhill Churchyard and Garden of St Julians
Church, St Julians Alley Churchyard of St Peter
Mancroft Church

Churchyard of St Stephens Church, Rampant Horse Street

Barn Road Car
Park Bull Lane Car
Park Chantry Car
Park City Hall Car
Park Colegate Car
Park

Mariners Lane Car Park
Magdalen Street Car
Park Monastery Court
Car Park Pottergate Car
Park

Queens Road Car
Park Rouen Road
Car Park St Andrews
Car Park St Crispins
Car Park

St Giles Multi-Storey Car
Park St Helens Wharf Car
Park

St Peters Street Motorcycle
Park Westwick Street Car
Park

ATTACHED TO THE "NORWICH CITY COUNCIL (CONTROL OF ALCOHOL IN PUBLIC PLACES) ORDER 2003"

Schedule 1 (continued) designated public places identified
specifically - Public Highway

Allens Lane
Amphill Street
Arlington Lane
Bathurst Road
Beaumont Place

Benjamin Gooch Way
Browne Street
Brunswick Road
Cambridge Street
Canterbury Place
Cardigan Place
Causeway Close
Chapel Walk

Charles Square
Chester Place
Chester Street
Clarendon Road
Clarendon Steps
Clifton Close
Clifton Street

Coach and Horses Row
Convent Road

Crooks Place
Derby Street

Dereham Road (between its junctions with Barn Road and Old Palace Road)
Devonshire Street

Distillery Square
Douro Place
Eagle Walk

Earlham Road (between its junctions with Heigham Road and Unthank Road)
Edward Jodrell Plain

Ely Street
Essex Street
Exeter Street

Freeman Square
Globe Place
Gloucester Street
Golding Place
Goldsmith Street
Goodman Square
Greyhound Opening

Grosvenor Road
Hanover Road
Haslips Close
Heigham Grove
Heigham Road

Heigham Street (between its junctions with Barn Road and Old Palace Road)
Johnson Place

Kenneth McKee Plain
Kimberley Street
Langley Walk
Launceston Terrace
Leicester Street
Lothian Street
Manchester Place
Mancroft Walk
Midland Street
Midland Walk

Mill Hill Road

Mount Pleasant (between its junctions with Newmarket Street and Newmarket Road)

Napier Place
Neville Street

Newmarket Road (between its junctions with Mount Pleasant and St Stephens Road)

Newmarket Street
Norfolk Street

Old Palace Road
Orchard Street
Oxford Street
Paragon Place

Park Lane (between its junctions with Mill Hill Road and Unthank Road)
Paxton Place

Philippa Flowerday Plain
Partway Place

Partway Square

Raglan Street
Rupert Street
Russell Street
Rutland Street
Sarah West Close
Sayers Street
Shrublands, The

Somerleyton Gardens
Somerleyton Street
St Stephens Road

St Stephens Square
Suffolk Square
Thomas Wyatt Close
Trinity Street

Trix Road
Trory Street
Union Street

Unthank Road (between its junctions with Earlham Road and Gloucester Street)

Valentine Street
Vauxhall Street
Walpole Gardens
Walpole Street
Wessex Street
West Pottergate
Woburn Street
Wymer Street
York Street

Public Open Space

Open Space Name

Street/Location

Jenny Lind
The Dell

Midland Street Open Space/Mancroft Walk
Eagle Walk Play Area and Open Space
The Dingle

Douro Place

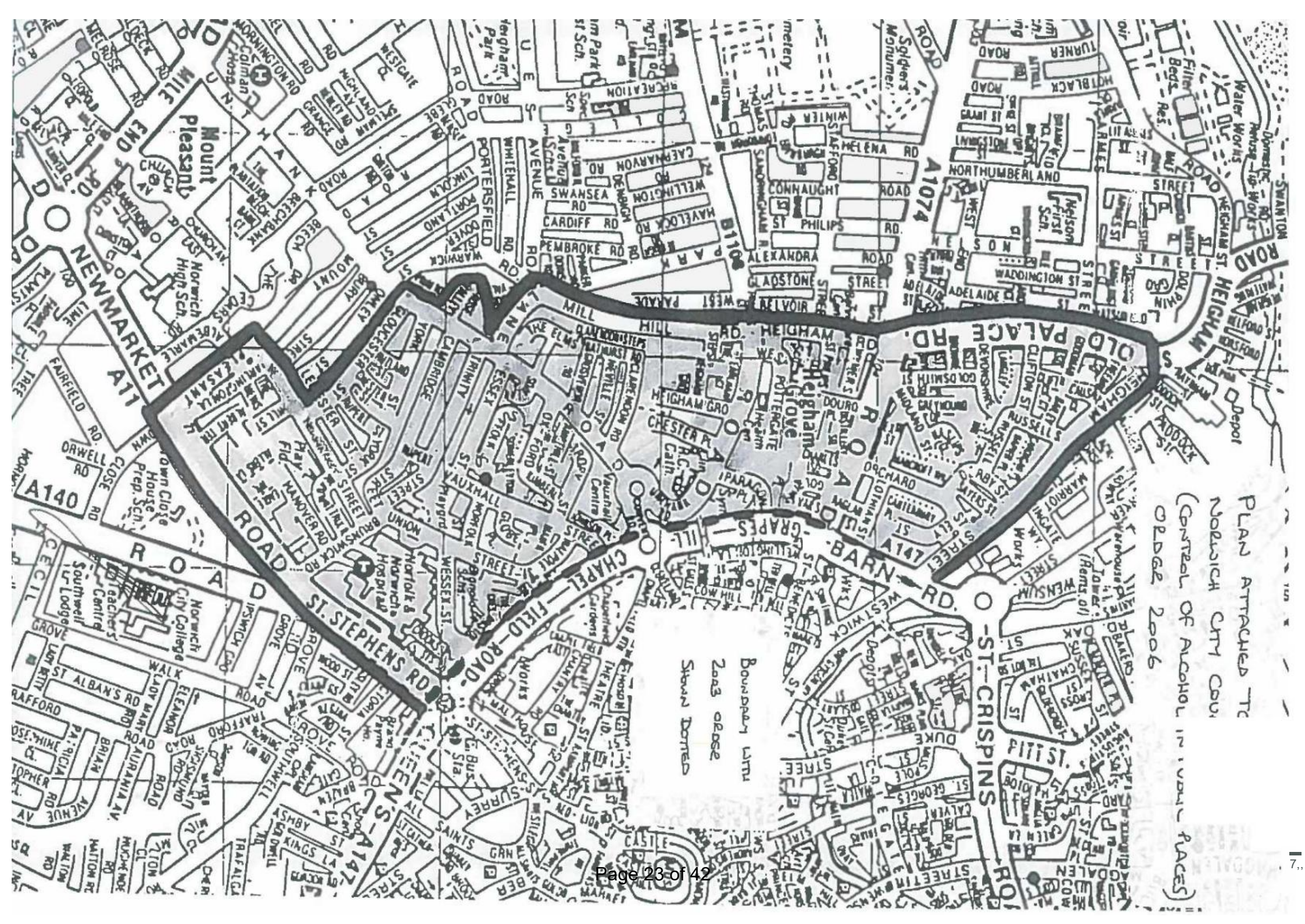
Heigham Street Play Area
Clarendon Steps Play Area
Ely Street Games Court
Rose Walk Play Area

Rose Valley Play Area

Vauxhall Street
Earlham Road
Midland Street
Eagle Walk
Earlham Road
Douro Place
Heigham Street
Clarendon Steps
Ely Street
Unthank Road
Unthank Road

PLAN ATTACHED TO
 NORWICH CITY COUNCIL
 (CONTROL OF ALCOHOL IN PUBLIC PLACES)
 ORDER 2006

Boundary with
 Zone 3 Order
 Shown Dotted



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Other spaces to which the public have access

Plantation Garden
Winchester Tower

Place of Worship

Street

Holy Trinity

Trinity Street

Elam Pentecostal

Trory Street

Synagogue

Earlham Road

Cathedral of St. John

Earlham Road

Trinity Church

Unthank Road

Douro Place Chapel

Dtt'ero Place

Dereham Road

Dereham Road Baptist Church

Derby Street

St. Barnabas

Schedule 2A - Designated public places identified by description

All places (other than places identified specifically in Schedule 1) which fall within the area shaded on the attached plan marked Plan A whose boundaries are Barn Road, River Wensum, southern boundary of St. Martins Close, Bakers Road, Magpie Road, Bull Close Road, Charlton Road, Barrack Street, St. James Close, Cannell Green, Gurney Road, Ketts Hill, Ladbroke Place, St. Leonards Road, Gas Hill, Riverside Road, Thorpe Road, Clarence Road, Carrow Road, Canary Way, Koblenz Avenue, King Street, Bracondale, Queens Road, Chapelfield Road and Grapes Hill and which are within one or more of the categories (a) to (e) as follows:

- (a) public highway
- (b) public open space
- (c) a car park or motorcycle park open to the public
- (d) a churchyard or an open space attached to a place of worship and open to the public.
- (e) a communal open space owned by Norwich City Council

Schedule 2B - designated public places identified by description

All places (other than places identified specifically in Schedule 1) which fall within the area shaded on the attached plan marked Plan B whose boundaries are Chapelfield Road, Grapes Hill, Barn Road, Heigham Street (part), Old Palace Road, Heigham Road, Mill Hill Road, Park Lane (part), Unthank Road (part), Gloucester Street, Newmarket Street, Mount Pleasant (part), Newmarket Road (part) and St. Stephens Road and which are within one or more of the categories (a) - (e) as follows:

- (a) public highway.
- (b) public open space.
- (c) a car park or motorcycle park open to the public.
- (d) a churchyard or an open space attached to a place of worship and open to the public.
- (e) a communal open space owned by Norwich City Council.

The Corporate Seal of the City Council of Norwich was hereunto affixed this day of 2021

.....Authorised signatory

C.S.

An interested person may apply to the High Court to question the validity of this Order and an interested person means an individual who lives in the restricted area or who regularly works or visits that area. Any such interested person may apply to the High court within six weeks from the date on which this Order was made on the grounds that the Council 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.

Appendix 2: Draft Public Space Protection Order – management of dog fouling within the city boundary

Norwich City Council (Fouling of Land by Dogs) Public Spaces Protection Order No. 2 of 2021

1. This Public Spaces Protection Order is made by Norwich City Council of City Hall, St Peter's Street, Norwich, Norfolk (hereinafter called "the Council") in accordance with section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, (hereinafter called "the Act").
2. The Council is satisfied upon reasonable grounds that anti-social behaviour where a person who is in charge of a dog fails to remove the dog's faeces forthwith from land has been carried on or is likely to be carried on within the public places mentioned in this Order, that this activity has had or is likely to have a detrimental effect on the quality of life of those in the locality and further, that the effect or likely effect of this activity is or is likely to be of a persistent or continuing nature and is or is likely to be such as to make the activity unreasonable and justifies the restrictions imposed by this Public Spaces Protection Order (hereinafter called "the order").
3. This Order is made by the Council in exercise of its powers under section 59 of the Act.
4. This Order applies to the land as specified in the Schedule to this Order.
5. Subject to paragraph 6 below, it is a requirement of this Order that if a dog defecates at any time on land to which this Order applies then the person in charge of the dog at that time shall remove the faeces from the land forthwith. If the person in charge of the dog fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless:
 - (a) they have a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (either generally or specifically) to their failing to do so.
6. Nothing in paragraph 5 above shall apply to a person who:-
 - (a) is a registered blind person; or

- (b) has a disability which affects their mobility, manual dexterity, physical co-ordination or ability to lift or carry or otherwise move every-day objects in respect of a dog trained by a prescribed charity and upon which he or she relies for assistance.

7. For the purposes of this Order:-

- (a) a person who habitually has a dog in their possession shall be taken to be in charge of the dog at any time unless at that time another person is in charge of the dog;
- (b) 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;
- (c) being unaware of the defecation (either by means of not being in the vicinity or otherwise), or not having a device or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;
- (d) a member of Assistance Dogs UK is a prescribed charity.

8. This Order is in effect on 1st May 2021 and continues for a period of three years from that date unless extended under section 60 of the Act.

9. Under section 67 of the Act it is an offence for a person without reasonable excuse to do anything that the person is prohibited from doing by a public spaces protection order, or to fail to comply with a requirement to which the person is subject under a public spaces protection order. A person guilty of an offence under section 67 of the Act is liable on summary conviction to a fine not exceeding level three on the standard scale.

10. A person does not commit an offence under section 67 of the Act by failing to comply with a prohibition or requirement that the Council does not have power to include in the public spaces protection order.

11. This Order may be cited as the Norwich City Council (Fouling of Land by Dogs) Public Spaces Protection Order No.2 of 2021.

Schedule:

This Order applies to the following public places:

- (i) Any land within the administrative area of Norwich City Council which is open to the air on at least one side and to which the public are entitled or permitted to have access with or without payment, and includes all footpaths, byways, carriageways and adjoining footways and verges, and public open spaces, parks and public recreation grounds.

Challenging the Validity of Orders:

An interested person may apply to the High Court to question the validity of this Order or a future variation of this Order.

“Interested Person” means an individual who lives in the restricted area or who regularly works or visits that area.

An interested person may apply to the High Court within 6 weeks from the date on which the order is made, on the grounds that:-

- (a) the Council did not have the power to make the order or variation, or to include particular prohibition requirements imposed by the order (or by the order as varied);
- (b) a requirement under chapter 2 of the Act was not complied with in relation to the order or variation.

The Corporate Seal of The City of Norwich was hereunto affixed thisday of2021

Before me (signature)

Authorised Signatory

Appendix 3 Consultees

PSPO Consultations (March 2021)

Management of alcohol in public spaces

Consultee Lists

1. Police

Contact
Local Chief of Police: Chief Constable,
Police & Crime Commissioner
District Commander for Norwich:

2. Norfolk County Council:

Contact
Norfolk County Highways:
Adult social services
Health & Wellbeing
Cllr Proctor's Assistant (recommended by Norfolk County)

3. County Councillors for following wards:

Ward
Bowthorpe
Catton Grove
Crome
Eaton
Lakenham
Mancroft
Mile Cross

Nelson
Sewell
Thorpe Hamlet
Town Close
University
Wensum

4. Others to be contacted directly:

Contact
Norwich Business Improvement District (Norwich BID

5. Norwich City Council Councillors

6. Owners & Occupiers of land (where feasibly practicable) - carried out by a public consultation.

Advertised through the media

7. Community representatives- carried out by public consultation

Advertised through the media

8. Norwich city council communications team to help reach owners and occupiers of land:

Use of social media to advertise the consultation

Press release

Appendix 4 - Consultees

PSPO Consultations (March 2021)

Management of dog fouling within the city boundary

Consultee Lists

1. Police Contacts

Contact
Local Chief of Police: Chief Constable,
Police & Crime Commissioner
District Commander for Norwich:

2. Norfolk County Council:

Contact
Norfolk County Highways:
Adult social services
Health & Wellbeing
Cllr Proctor's Assistant (recommended by Norfolk County)

3. County Councillors for following wards:

Ward
Bowthorpe
Catton Grove
Crome
Eaton
Lakenham
Mancroft
Mile Cross
Nelson

Sewell
Thorpe Hamlet
Town Close
University
Wensum

4 Dog Fouling:

Contact
Dogs Trust
The Kennel Club

5 Others to be contacted directly:

Contact
Norwich Business Improvement District (Norwich BID)

6 Norwich City Council Councillors

7 Owners & Occupiers of land (where feasibly practicable) - carried out by a public consultation.

Advertised through the media

8 Community representatives- carried out by public consultation

Advertised through the media

9 Norwich city council communications team to help reach owners and occupiers of land:

Use of social media to advertise the consultation

Press release

Integrated impact assessment: Management of Alcohol in public spaces



NORWICH
City Council

The IIA should assess **the impact of the recommendation** being made by the report

Report author to complete

Committee:	Cabinet
Committee date:	14 April 2021
Director	Louise Rawsthorne
Report subject:	The making of a Public Space Protection Order for the management of alcohol in public spaces
Date assessed:	07/04/2021

	Impact			
Economic (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Finance (value for money)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other departments and services e.g. office facilities, customer contact	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ICT services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Economic development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Financial inclusion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Social (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Safeguarding children and adults	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Allows underage alcohol consumption in a public place to be addressed
<u>S17 crime and disorder act 1998</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Supports the aims of Section 17 in relation preventing misuse of alcohol
Human Rights Act 1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Health and well being	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Allow excess alcohol consumption in a public place to be addresses

	Impact			
Equality and diversity (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Relations between groups (cohesion)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Allows issues in a public place involving alcohol to be addressed
Eliminating discrimination & harassment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Allows issues in a public place involving alcohol to be addressed
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Environmental (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Natural and built environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Waste minimisation & resource use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Pollution	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sustainable procurement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Energy and climate change	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(Please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Risk management	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Allows issues in a public place involving alcohol to be addressed

Recommendations from impact assessment	
Positive	
It is recommended that the PSPO for the management of alcohol in public spaces is renewed	
Negative	
Neutral	
Issues	

Integrated impact assessment: Management of dog fouling in public spaces



NORWICH
City Council

The IIA should assess **the impact of the recommendation** being made by the report

Report author to complete	
Committee:	Cabinet
Committee date:	14 April 2021
Director	Louise Rawsthorne
Report subject:	The making of a Public Space Protection Order for the management of dog fouling within the city boundary
Date assessed:	07/04/2021

	Impact			
Economic (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Finance (value for money)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other departments and services e.g. office facilities, customer contact	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ICT services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Economic development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Financial inclusion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Social (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Safeguarding children and adults	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>S17 crime and disorder act 1998</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The PSPO give a legal structure for the council's statutory role in addressing dog fouling issues within its boundary
Human Rights Act 1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Health and well being	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Removal of dog excreta prevents the spread of disease: specifically, the excreta carries known bacteria that are pathogens for the intestinal tract and causes diarrhoea as well as being a source of roundworms such as Toxocara canis.

	Impact			
Equality and diversity (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Relations between groups (cohesion)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Eliminating discrimination & harassment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Environmental (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Natural and built environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Waste minimisation & resource use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Pollution	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sustainable procurement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Energy and climate change	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(Please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments

	Impact			
Risk management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Recommendations from impact assessment

Positive

The management of dog fouling in the city prevents the spread of disease.

Negative

Neutral

Issues