

# Public Document Pack

**Sefton Council** 

MEETING: LICENSING AND REGULATORY (URGENT REFERRALS)  
COMMITTEE

DATE: 27th June 2022

TIME: 2.00 pm

VENUE: Bar Lounge - Town Hall, Bootle

## Member

Cllr. John Kelly (Chair)  
Cllr. Mike Morris M.B.E.  
Cllr. Carran Waterfield

## Substitute

Cllr. Susan Bradshaw  
Cllr. Joe Riley  
Cllr. Gordon Friel

COMMITTEE OFFICER: Amy Dyson  
Democratic Services Officer  
Telephone: 0151 934 2045  
E-mail: amy.dyson@sefton.gov.uk

**If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.**

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# **A G E N D A**

## **1. Apologies for Absence**

## **2. Declarations of Interest**

Members are requested at a meeting where a disclosable pecuniary interest or personal interest arises, which is not already included in their Register of Members' Interests, to declare any interests that relate to an item on the agenda.

Where a Member discloses a Disclosable Pecuniary Interest, he/she must withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation.

Where a Member discloses a personal interest he/she must seek advice from the Monitoring Officer or staff member representing the Monitoring Officer to determine whether the Member should withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest or whether the Member can remain in the meeting or remain in the meeting and vote on the relevant decision.

## **3. Minutes**

(Pages 3 - 4)

Minutes of the meeting held on 4 November 2020

## **4. Coast and Visitor Areas Public Space Protection Order (PSPO)**

(Pages 5 - 22)

Report of the Head of Operational In-House Services

This initial/ interim report, published during the consultation period, will be followed up by a supplementary agenda item on the day of the Licensing and Regulatory (Urgent Referrals) meeting - once the consultation period has finished and remaining sections can be completed accordingly.

**THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"**

## **LICENSING AND REGULATORY (URGENT REFERRALS) COMMITTEE**

### **MEETING HELD AT THE REMOTE MEETING ON 4 NOVEMBER 2020**

PRESENT: Councillor John Kelly (in the Chair)  
Councillors Keith and Friel

#### **6. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Brenda O'Brien.

#### **7. DECLARATIONS OF INTEREST**

No declarations of any disclosable pecuniary interests or personal interests were received.

#### **8. MINUTES**

RESOLVED:

That the Minutes of the meeting held on 28 July 2020 be confirmed as a correct record.

#### **9. PROPOSED PUBLIC SPACE PROTECTION ORDER - DOG CONTROL**

The Committee considered the report of the Head of Highways and Public Protection relating to a draft Public Space Protection Order – Dog Control (PSPO), under the Anti-Social Behaviour Crime and Policing Act 2014.

The report provided information concerning dog control and an overview of the public consultation on proposed additional dog control measures through a proposed new Public Space Protection Order.

Mr. Steve Smith, Environmental Health and Trading Standards Manager presented the report and answered questions thereon.

Members of the Committee requested and agreed that the restriction to the length of dog lead being no more than 2.0 metres, be set out within the recommendations to Council, as detailed below.

RESOLVED: That

(1) Council be requested to give its approval for the proposed Public Space Protection Order – Dog Control as detailed in 1, 2 and 3 below:

1. that the requirements / restriction previously

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LICENSING AND REGULATORY (URGENT REFERRALS) COMMITTEE-  
WEDNESDAY 4TH NOVEMBER, 2020

contained within the Sefton Metropolitan Borough Council Public Space Protection Order – Dog Control 2017 (PSPO – dog control 2017) be included within the proposed new Public Space Protection Order:

- i. offence of not removing dog's fouling forthwith
    - ii. restrict the number of dogs that can be walked by one person to a maximum of 6;
    - iii. prohibit dogs from entering enclosed playgrounds;
    - iv. prohibit dogs from entering marked or fenced sports pitches during specified periods;
    - v. dogs to be kept on a lead of not more than 2.0 metres in length within defined picnic sites and family areas;
    - vi. dogs to be kept on a lead of not more than 2.0 metres in length within all public roads and footways;
    - vii. dogs to be kept on a lead of not more than 2.0 metres in length within all cemeteries and crematoria;
    - viii. dogs to be placed on a lead of not more than 2.0 metres in length when directed by an authorised officer to prevent a nuisance or behaviour likely to cause annoyance or disturbance to the public;
  2. the following additional requirement / restriction be included within the proposed PSPO:
    - i. Dogs to be kept on leads of not more than 2.0 metres in length within unfenced (open) playgrounds;
  3. that the following requirements / restrictions are not included within the proposed PSPO:
    - i. dogs to be kept on leads of not more than 2.0 metres in length within a golf course; and
    - ii. dogs to be kept on a lead of not more than 2.0 metres in length on the beach; and
- (2) officers be commended for their diligence and hard work in conducting the consultation process for the PSPO – Dog Control, given the restrictions caused by the outbreak of the Covid-19 virus in March 2020.

This initial/ interim report, published during the consultation period, will be followed up by a supplementary agenda item on the day of the Licensing and Regulatory (Urgent Referral) meeting - once the consultation period has finished and remaining sections can be completed accordingly			
<b>Report to:</b>	Licensing and Regulatory Committee	<b>Date of Meeting:</b>	27 <sup>th</sup> June 2022
	Council		14 <sup>th</sup> July 2022
<b>Subject:</b>	Proposed Coast and Visitor Areas Public Spaces Protection Order		
<b>Report of:</b>	Head of Operational In House Services	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Regulatory, Compliance and Corporate Services		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

**Summary:**

To present for consideration the draft Public Spaces Protection Order – Coast and Visitor Areas (PSPO) under the Anti–Social Behaviour Crime and Policing Act 2014.

To provide information concerning Coast and Visitor Area behaviours and an overview of the public consultation on proposed additional measures through a proposed new Public Spaces Protection Order (PSPO).

**Recommendations:**

**Licensing and Regulatory Committee** is requested to recommend that Council gives its approval for the Proposed Public Spaces Protection Order as detailed in 1, below:

**Council** is requested to approve the Proposed Public Spaces Protection Order as detailed in 1 below:

1. It is proposed that the following requirements/ restrictions summarised below are included within the proposed PSPO- Coast and Visitor Areas, where clear support has been demonstrated through the consultation:

*{Add Bullet point list of the proposed restrictions – to follow as appropriate}*

2. The following items, although receiving overall support, were not as strongly supported (with approval being in the 50-60% margin). These are items Members may wish to discuss further and provide officers

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with a steer on whether to include or not

*{Add Bullet point list of the proposed restrictions – to follow as appropriate}*

3. The following items did not receive support in the consultation (with approval being less than 50%), and so are not proposed for inclusion in the PSPO.

*{Add Bullet point list of the proposed restrictions – to follow as appropriate}*

## **Reasons for the Recommendation(s):**

The proposals are intended to provide enforcement powers to protect the public from anti-social behavior that is having, or likely to have, a detrimental effect on the quality of life of those in the locality.

## **Alternative Options Considered and Rejected:** (including any Risk Implications)

Members could take no action, following the PSPO consultation, resulting in only very limited powers to tackle anti-social behaviour on the coast and visitor areas. Existing By-Laws are dated in extent and coverage across the Borough. Crucially they fail to allow a Fixed Penalty Notice (FPN) to be issued and for the offender to discharge their liability for prosecution by making payment. All offences otherwise would result in prosecution which is both costly in time and resources and would leave the offender with a criminal record.

Options considered as part of the public consultation included support for only some of the items proposed, and/ or the geographic areas to be considered for the Order, as summarised in the report.

## **What will it cost and how will it be financed?**

### **(A) Revenue Costs**

The costs of basic/ temporary signage can be accommodated within existing revenue budgets.

Should permanent signage be required, this is estimated to cost in the region of £20,000. Other funding sources will need to be identified for this in due course. A further report will be provided and appropriate approval will be sought in line with the requirements of the Financial Procedure Rules.

It is not expected that there will be any material change in the amount of monies received from fixed penalty notices, and an additional contribution towards income is not anticipated.

**(B) Capital Costs**

There are no direct capital cost implications associated with the recommendations in this report.

**Implications of the Proposals:**

<p><b>Resource Implications (Financial, IT, Staffing and Assets):</b> There is an increased cost associated with improving signage of the requirements of the PSPO, see relevant sections in the report</p>									
<p><b>Legal Implications:</b> The consultation process adhered to statutory requirements and guidance. The decision-making process, if Members determine to proceed with the PSPO, will follow the necessary and appropriate decision making route.</p>									
<p><b>Equality Implications:</b> No Equality Implications have been identified and therefore mitigated, however the enactment of any resulting PSPO will be monitored to ensure appropriate diversity is delivered.</p>									
<p><b>Climate Emergency Implications:</b></p> <p>The recommendations within this report will</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Have a positive impact</td> <td style="text-align: center; padding: 2px;">Y</td> </tr> <tr> <td style="padding: 2px;">Have a neutral impact</td> <td style="text-align: center; padding: 2px;">N</td> </tr> <tr> <td style="padding: 2px;">Have a negative impact</td> <td style="text-align: center; padding: 2px;">N</td> </tr> <tr> <td style="padding: 2px;">The Author has undertaken the Climate Emergency training for report authors</td> <td style="text-align: center; padding: 2px;">Y</td> </tr> </table> <p>Subject to approval of the PSPO, this proposal will lead to better visitor management on the internationally protected Sefton coast and our other parks and greenspaces.</p>		Have a positive impact	Y	Have a neutral impact	N	Have a negative impact	N	The Author has undertaken the Climate Emergency training for report authors	Y
Have a positive impact	Y								
Have a neutral impact	N								
Have a negative impact	N								
The Author has undertaken the Climate Emergency training for report authors	Y								

**Contribution to the Council's Core Purpose:**

<p>Protect the most vulnerable:</p> <p>It is hoped that this PSPO will improve confidence amongst those who are more vulnerable through a greater feeling of safety &amp; security</p>
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<p>Facilitate confident and resilient communities:</p> <p>This PSPO will continue to encourage responsible behaviour on the coast and in visitor areas, which will be of benefit to local communities.</p>
<p>Commission, broker and provide core services:</p> <p>The PSPO will ensure enforcement powers are available to require visitors to act in a responsible manner when on the coast and in designated visitor areas. This will impact upon behaviour and the prohibition of certain anti social activities, and thereby contribute to the delivery of a cleaner, greener borough and meeting the statutory requirements of managing the internationally protected and designated Coast.</p>
<p>Place – leadership and influencer:</p> <p>The PSPO will ensure enforcement powers are available to require visitors to act in a responsible manner when on the coast and in designated visitor areas, this will impact upon behaviour and the prohibition of certain anti social activities, and thereby contribute to the delivery of a cleaner, greener borough and meeting the statutory requirements of managing the internationally protected and designated Coast.</p>
<p>Drivers of change and reform:</p> <p>This PSPO will continue to encourage responsible behaviour on the coast and in visitor areas to the benefit of the community and will seek to reduce the levels of anti social behaviour within the Borough</p>
<p>Facilitate sustainable economic prosperity:</p> <p>The PSPO will ensure enforcement powers are available to require visitors to act in a responsible manner when on the coast and in designated visitor areas, this will impact upon behaviour and the prohibition of certain anti social activities, positively impacting on the appeal of those areas to businesses.</p>
<p>Greater income for social investment:</p> <p>Not applicable</p>
<p>Cleaner Greener.</p> <p>The PSPO will ensure enforcement powers are available to require visitors to act in a responsible manner when on the coast and in designated visitor areas, this will impact upon behaviour and the prohibition of certain anti social activities, and thereby contribute to the delivery of a cleaner, greener borough and meeting the statutory requirements of managing the internationally protected and designated Coast.</p>



## What consultations have taken place on the proposals and when?

### (A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD 6844/22) and the Chief Legal and Democratic Officer (LD 5044/22) have been consulted and any comments have been incorporated into the report.

### (B) External Consultations

Following approval by the Public Engagement & Consultation Panel a public consultation took place from 20<sup>th</sup> May to 24<sup>th</sup> June 2022 (5 weeks)

Details of the consultation engagement are outlined further in this report.

### Implementation Date for the Decision

Immediately following the Committee / Council meeting.

<b>Contact Officer:</b>	Mark Shaw/ Simon Evans
Telephone Number:	0151 934 2963
Email Address:	<a href="mailto:Mark.shaw@sefton.go.uk">Mark.shaw@sefton.go.uk</a> / <a href="mailto:simon.evans@sefton.gov.uk">simon.evans@sefton.gov.uk</a>

### Appendices:

The following appendices are attached to this report:

Appendix A – Consultation results (to follow)

Appendix B - Stakeholder and other letters (to follow)

Appendix C – proposed draft PSPO (to follow)

### Background Papers:

None

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## 1. Introduction/Background

- 1.1. A public spaces protection order (PSPO) can be introduced by a Council under the Anti-social Behaviour, Crime and Policing Act 2014, Part 4 (section 59) where:
  - activities that have taken place have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will take place and that they will have a detrimental effect
  - the effect or likely effect of these activities:
    - is, or is likely to be, persistent or continuing in nature
    - is, or is likely to be, unreasonable
- 1.2. A public spaces protection order may not have effect for a period of more than 3 years, unless extended.
- 1.3. In establishing which restrictions or requirements should be included, the Council should be satisfied that the measures are necessary to prevent or reduce the likelihood of the detrimental effect continuing, occurring or recurring.
- 1.4. Before introducing, extending, varying or discharging a PSPO, there are requirements under the Act regarding consultation, publicity and notification.
- 1.5. Local authorities are obliged to consult with the local chief officer of police; the police and crime commissioner; owners or occupiers of land within the affected area where reasonably practicable, and appropriate community representatives.
- 1.6. The Act also requires that there is a consultation process before an Order can be made (and held again when an Order is extended, varied or discharged).
- 1.7. During 2021 the Coastal Teams within Green Sefton at Sefton Council reported almost 950 coastal incidents. The overwhelming majority of these (over 850) involved antisocial behaviour of one sort or another. The most frequent examples of ASB were related to the behaviour of vehicles / drivers on the beach car parks, off road motor bikes & quad bikes, camp fires and barbecues and dog and dog owner behaviour. Just under 7% of incidents involved abusive or threatening behaviour towards staff. By far the worst affected location was Ainsdale Beach, where nearly 60% of incidents were recorded with Crosby Coastal Park and beach area approaching 10% of incidents. The rest were spread across the other sand dune and beach areas controlled by Sefton. There were incidents recorded every month of the year, but most incidents occurred in June and July, and April was also busy with just over 15% of all 2021 incidents recorded.
- 1.8. By way of some very short examples from the Coast Teams reports (which is a far from exhaustive list), the following are from incident reports during 2021:

- Camp fire in dunes
- Quad bikes in no vehicle zone
- Fly tipping discovered
- Dogs in exclusion zone
- Vehicle speeding on beach
- Threat to report staff for challenging inappropriate behaviour in a vehicle
- Deliberate fires set in sand dunes
- Suspicious drunken behaviour
- Glass bottles smashed
- Vehicle parking outside of defined beach car park
- Motorcross bike in sand dunes
- Numerous barbeques
- 11 year old driver in beach car park
- Motorbike speeding along beach no vehicle zone
- Nude male in dunes
- Parascenders causing disturbance
- Driver spinning car causing danger to family

1.9. The proposed PSPO for Coast and Visitor Areas takes account of reported incidents, and is proposed to provide sanctions on issues that are already contained within the existing byelaws which can be found here; [Green Sefton Byelaws](#)

1.10. The affected inland areas have been identified by the Sefton Council ASB Unit, and Merseyside Police, as areas being used by people to drink Alcohol and use the area to congregate and cause Anti-Social Behaviour and low-level crime. This order will enable authorised officers to request the confiscation of Alcohol from those who are causing Anti-Social Behaviour. If they refuse to hand over Alcohol, they can be issued with a Fixed Penalty Notice. This order does not ban Alcohol for those consuming it in a responsible manner.

## **2. Consultation and Engagement**

2.1. The Consultation and Engagement Panel gave support for a public and stakeholder consultation exercise on the proposed PSPO which took place from 20<sup>th</sup> May to 24<sup>th</sup> June 2022.

2.2. A questionnaire was designed to seek views on respondent's experiences of anti social behaviour on the coast and in visitor areas currently, and their support or otherwise for the range of sanctions proposed. It also asked for comments on the geographic areas to be covered by the Order. Full details of the questions can be found in the results section of this report.

2.3. An easy read version of the questionnaire was developed, and the wording of this was used for all versions of the consultation.

2.4. The consultation ran online through 'Your Sefton Your Say'. Hard copies

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and audio versions were made available. Alternative language forms were available on request.

- 2.5. The Consultation was promoted through the Council website, My Sefton, social media, local press, Green Sefton rangers and notice boards in parks, on the coast and other recreational areas.
- 2.6. Over 300 groups and individuals were all contacted via email to inform of the consultation taking place and to identify any particular requests or requirements that group members may have. The list of direct contacts is summarised below (in alphabetical order), and all were encouraged to share wider with their own networks:

- Ainsdale Beach Forum
- British Transport Police (BTP)
- British Destinations Organisation
- Business partners and concessionaires
- Campaign for Protection of Rural England (CPRE)
- Crosby Coastal Park Community Forum
- Environment Agency
- Formby (coast) Stakeholder Group
- Formby Parish Council
- Hightown Parish Council
- Inshore Fisheries & Conservation Authority (IFCA)
- Lancashire Wildlife Trust (LWT)
- Maritime and Coastguard Agency
- Mersey Forest
- Merseyside Fire and Rescue Service
- Merseyside Police
- National Trust
- Natural England
- North West Coastal Forum
- Other organisations that the services liaise with such as community centres, youth clubs etc
- Parks, coastal, in bloom, sports and other volunteer groups
- Royal National Lifeguard Institution (RNLI)
- Royal Society for the Protection of Birds (RSPB)
- Royal Society of Protection of Cruelty to Animals (RSPCA)
- Southport Offshore Rescue Trust
- United Utilities
- Ward Councillors
- Woodland Trust

- 2.7. Officers also attended a number of meetings and forums to discuss the public consultation and to answer any questions from group members. These included:

- Ainsdale Beach Forum, 18<sup>th</sup> June
- Formby Stakeholder Group, 26<sup>th</sup> May

- Multi Agency Group (incl other land owners, emergency services), 19<sup>th</sup> May and 16<sup>th</sup> June
- Sefton Coast Landscape Partnership Board (incl other land owners, statutory agencies and other partners), 16<sup>th</sup> June

## Stakeholder statements:

- 2.8. In addition to completing the online questionnaire, a number of stakeholder organisations offered further statements for consideration which are copied here, and full letters received are copied in Appendix B:

{to follow}

## 3. Public Consultation Results

- 3.1. A combined total of *{info to follow}* responses to the consultation were received online, and by hard copy.
- 3.2. The consultation asked respondents for their thoughts on the several areas for consideration as part of the proposed PSPO. These were grouped into categories for ease, which the following table will summarise in turn, with the outcome and summary of the consultation exercise contained in Appendix A:

ITEM	ACTIVITY  (bold text as per the consultation, italics gives a further explanation for this report)	IN FAVOUR (%)	EXAMPLES from consultation feedback/ comments
Alcohol - related ASB	<b>Authorised Officers able to confiscate alcohol</b>  <i>(where they feel it is contributing to ASB only – this is not a complete ban)</i>	<i>To follow</i>	<i>To follow</i>
Fires and Barbeques and other hazards	<b>Fires and Barbeques not allowed.</b>  <i>(Not allowed to light or fuel any open fire nor to use, light or discard any barbecue. this refers to all types of barbeques - disposable, gas powered, standard charcoal)</i>	<i>To follow</i>	<i>To follow</i>
	<b>Fireworks, balloons and lantern releases not allowed.</b>	<i>To follow</i>	<i>To follow</i>
Large groups or gatherings	<b>No large gatherings of 40 or more without permission</b>  <i>(Examples include music and dance events, fun runs, school trips, guided walks, sporting activities, exercise)</i>	<i>To follow</i>	<i>To follow</i>

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ITEM	ACTIVITY  (bold text as per the consultation, italics gives a further explanation for this report)	IN FAVOUR (%)	EXAMPLES from consultation feedback/ comments
	<i>classes etc)</i>		
	<p><b>Certain events only with written permission.</b></p> <p><i>(Events such as lectures, speeches, sermons, busking, live music, bootcamps, sport events, use of generators and other types of entertainment performances/shows are not allowed without prior permission granted by the Council as per our events policy.)</i></p>	<i>To follow</i>	<i>To follow</i>
	<p><b>No groups having overnight stays in tents, motorhomes or caravans without written permission.</b></p> <p><i>(including, but not limited to, pitching or occupying tents, motorhomes, caravans sunshades and windbreaks excepted if there for a maximum of 12 hours)</i></p>	<i>To follow</i>	<i>To follow</i>
	<p><b>No collecting money or selling (for any reason) without written permission</b></p> <p><i>(This includes;</i></p> <ul style="list-style-type: none"> <li><i>-Begging or soliciting for money*</i></li> <li><i>-Advertising any article verbally or by the distribution of leaflets and flyers, circulars or advertisements of any kind</i></li> <li><i>-Flyposting and other fixed notices on railings, posts or other street furniture without prior permission, and a fee may be chargeable for this. Notices must be taken down within an agreed period.</i></li> <li><i>-Selling goods, products or services without prior permission of the Council.</i></li> </ul> <p><i>*Begging or soliciting for money. The act of begging is deemed as either approaching people for money, or being stationary and asking for money, or positioned on the floor to invite the offer of money or goods.)</i></p>	<i>To follow</i>	<i>To follow</i>
<b>Leisure Activities</b>	<p><b>Boat launching only from certain parts of the coast and lakes with permission</b></p> <p><i>(including Paddleboards, canoes not allowed other than at designated</i></p>	<i>To follow</i>	<i>To follow</i>

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ITEM	ACTIVITY  (bold text as per the consultation, italics gives a further explanation for this report)	IN FAVOUR (%)	EXAMPLES from consultation feedback/ comments
	<i>launching locations and with the necessary permissions.)</i>		
	<p><b>Cycling only on cycle paths and routes, following road rules and not cycling dangerously.</b></p> <p><i>(No riding any cycle within the restricted area unless on a designated cycle route or the beach. No Riding any cycle where localised signage requires you to dismount. No Riding any cycle without due care and attention or without due care and consideration for other users of that area. A cycle means a bicycle, a tricycle or a cycle having four or more wheels, including one power-assisted by electrical (or other means not being in any case a motorcycle or motor vehicle.)</i></p>	<i>To follow</i>	<i>To follow</i>
	<p><b>Watercrafts and power kiting only in set areas and with written permission.</b></p> <p><i>(Being in charge of any pleasure boat, windsurfer, kite board, paddleboard, jet ski or any other vessel and causing or permitting same to be used in a dangerous manner, without due care or attention or without reasonable consideration for other persons OR failing to comply with instructions from an Authorised Person in respect of said vessel.</i></p> <p><i>Bring, ride, beach or launch any jet ski other than at the marine lakes and in compliance with the operators at these locations</i></p> <p><i>Undertake kite surfing, parakarting or other powered kite activity anywhere on the coast other than the designated Kitebeach.</i></p> <p><i>Take part in these activities without the necessary permit and insurance.)</i></p>	<i>To follow</i>	<i>To follow</i>
	<b>No climbing on structures such as Southport Pier and outfall pipes on the beach.</b>	<i>To follow</i>	<i>To follow</i>
	<b>No swimming in lakes ponds or pools unless rules say it is allowed.</b>	<i>To follow</i>	<i>To follow</i>

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ITEM	ACTIVITY  (bold text as per the consultation, italics gives a further explanation for this report)	IN FAVOUR (%)	EXAMPLES from consultation feedback/ comments
	<p><i>(For example, swimming is not generally allowed in Crosby Marine Lake except for specific times / events which are advertised locally.</i></p> <p><i>This does not apply to swimming/ bathing in the sea. It should be noted though that Sefton's coast can be hazardous; visitors are advised to take full note of the safety signage at the coast and keep to designated lifeguarded bathing areas at Formby, Ainsdale and Southport.)</i></p>		
Horses and Dogs	<p><b>Dogs not allowed in dog free zones on the beach or in fenced off areas or in pools or ponds.</b></p> <p><i>(NB This is in addition to the separate boroughwide PSPO for dog control.)</i></p>	<i>To follow</i>	<i>To follow</i>
	<p><b>Horses not allowed to be ridden in bathing areas on the beach in summer. Horses must not be ridden dangerously or within 2 hours of high tide.</b></p> <p><i>(Horses not allowed to be ridden or brought into the designated bathing areas between 1st May and 30th September each year.</i></p> <p><i>Horses must not be ridden on the beach 2 hours either side of high tide.</i></p> <p><i>Horses not allowed to be ridden on the coast other than on designated bridleways and those beaches with access via an authorised route.</i></p> <p><i>For the avoidance of doubt, horses are not allowed to enter vegetated areas on or adjacent to the beach or to ride through flocks of roosting / feeding birds at any time. Galloping is not permitted.)</i></p>	<i>To follow</i>	<i>To follow</i>
Vehicles	<p><b>On-Beach parking to be used for parking only and within 10 mph speed limit.</b></p> <p><i>(No driving outside of the delineated parking area onto the foreshore or into the dunes. Speeding, racing, handbrake turns, and other dangerous maneuvers, unlicensed drivers etc are prohibited.</i></p> <p><i>(This does not apply to emergency</i></p>	<i>To follow</i>	<i>To follow</i>



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ITEM	ACTIVITY  (bold text as per the consultation, italics gives a further explanation for this report)	IN FAVOUR (%)	EXAMPLES from consultation feedback/ comments
	<i>vehicles and other authorised access)</i>		
	<b>Powered flight is not allowed in any area of the order. This includes taking off and landing.</b>  <i>(paraglider, parascender, hang glider or other similar craft)</i>	<i>To follow</i>	<i>To follow</i>
	<b>Remote-controlled vehicles not allowed without written permission</b>  <i>(Bring or permit to be used any remote-controlled vehicle including model aircraft without permission.)</i>	<i>To follow</i>	<i>To follow</i>
	<b>Drones can only be flown with written permission</b>	<i>To follow</i>	<i>To follow</i>
<b>Other Hazards</b>	<b>No glass bottles or containers allowed (unless being carried to another place).</b>	<i>To follow</i>	<i>To follow</i>
	<b>No throwing of objects</b>  <i>(such as stones, pebbles or anything else in a manner likely to cause alarm, injury or damage to property)</i>	<i>To follow</i>	<i>To follow</i>
	<b>No golf allowed</b>	<i>To follow</i>	<i>To follow</i>
	<b>Actions such as weeing, spitting, pooing not allowed outdoors in these areas</b>  <i>(Urinate, spit or defecate. Ingest, inhale, inject, smoke or otherwise use drugs or substances reasonably believed to be psychoactive substances. Possess or release any canister containing compressed gas Act in a disorderly manner so as to cause harassment, alarm, nuisance or distress to others in the locality, including naked sunbathing.)</i>	<i>To follow</i>	<i>To follow</i>
	<b>No activities that cause pollution allowed</b>  <i>(Bring in or permit to happen anything which pollutes or is likely to pollute the environment or cause harm to flora and fauna or people.</i>  <i>This can include eg chemicals getting into water bodies (detergent, fuel, fiprinil from flea treatment on dogs, chemicals) plastic waste anywhere but particularly the foreshore where it can be washed out to sea, biosecurity, littering, noise pollution, dog fouling or human</i>	<i>To follow</i>	<i>To follow</i>

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ITEM	ACTIVITY  (bold text as per the consultation, italics gives a further explanation for this report)	IN FAVOUR (%)	EXAMPLES from consultation feedback/ comments
	<p><i>waste).</i></p> <p><b>No weapons of any kind to be brought into the area</b></p> <p><i>(Bring or be in possession of any catapult, firearm, bow and arrow, crossbow, knife or other article likely to cause harm to persons or wildlife.)</i></p>	<i>To follow</i>	<i>To follow</i>
Additional issues to be considered			
Harm to wildlife or livestock	<p><b>Some local authorities have included fines for deliberate disturbance to wildlife or habitats. For example, disturbing birds and their nest areas. Do you think we should include this rule in Sefton's order?</b></p> <p><i>(Harm or attempt to harm any wildlife (sea angling or lawful bait digging for personal use excepted). Includes but not restricted to hunting and poaching, knowingly causing disturbance to roosting or ground nesting birds, use of lures or pheromones, bringing in of non native species.)</i></p>	<i>To follow</i>	<i>To follow</i>

## 4.0 Locations where the order will apply

- 4.1 As per the maps outlined in the consultation, and those included in the draft PSPO (see Appendix), the geographic area of the proposed PSPO include not only areas managed by the Council (coast, certain parks, town centres and highways etc), they also include areas managed by others – such as the National Trust owned areas of the Formby Coast, Natural England's National Nature Reserve in Freshfield/ Ainsdale, Lancashire Wildlife Trust areas, and the RSPB reserve at Marshside. Although the Order is proposed to include these other areas, it should be noted that the council does not have resource to provide signage, nor enforce on other land owners land – that will be for them to fund/ resource.
- 4.2 The Appendix also explains that the bulk of the proposed PSPO sanctions will apply to the coast only, with the (anti social behaviour related) alcohol confiscation only to be included for the inland locations.

## 5.0 Signage

- 5.1 New site signage will be needed to educate visitors on the expectations of their behaviour when visiting these areas.
- 5.2 These signs are in development, and temporary versions/ banners will be sited immediately on approval of the Order and used for the remainder of Summer 2022. The costs of temporary signage can be met within existing budgets.
- 5.3 The permanent (more robust) signs will cost circa £20,000 and are not likely to be installed in Summer 2022 – it is anticipated they will be on site in time for Summer 2023, subject to external funding (as existing budgets cannot meet this cost).
- 5.4 Upon formal approval, officers will engage a signage manufacturer to fabricate permanent signs to be placed at key entrances and other locations to inform people of the prohibitions in place, and alert them to the risk of a Fixed Penalty Notice should they be found to be acting inappropriately.

## 6.0 Timescale

- 6.1 The proposed PSPO will run for three years after implementation, so from July 2022 to July 2025. Upon agreement at Full Council, officers will seek to promote its adoption both on site (with new signage outlined above, in noticeboards, in the press and on social media, and with face to face discussions with visitors). Assuming approval at the 14th July 2022 Full Council meeting, the Order will be live and enforceable for the remainder of the summer tourist season in July/ August 2022 and onwards.

## 7.0 Enforcement

- 7.1 Enforcement should be a last resort. Ideally, the simple fact that a Fixed Penalty Notice (FPN) 'could' be imposed will, it is hoped, encourage responsible behaviour from visitors. However, the PSPO will allow FPN's to be issued by authorised officers – whether they be trained/ approved council officers, staff from other land owners and agencies, the emergency services, or by approved contractors of the authority.
- 7.2 It should be noted that formal training is required to enable anyone to issue an FPN.

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Although some agencies already have appropriately trained staff (such as the Police), this will take some time before others are ready (including Council staff).

## 8.0 Draft Public Space Protection Order – Coast and Visitor Areas

- 8.1 Subject to discussion and approval of this report, the draft PSPO is attached in Appendix C.

## 9.0 Conclusion and recommendations:

- 9.1 The proposed PSPO seeks to maintain a balance between necessary controls to address unreasonable anti-social behaviour that is or is likely to have a continuing, recurring detrimental effect on the quality of life of those in the locality and takes into consideration the outcome of the consultation and views expressed by respondents.
- 9.2 Not proceeding would see a reliance on very limited byelaws, an inability to tackle anti social behaviour in all areas or to issue any Fixed Penalty Notices.
- 9.3 It is proposed that the following requirements/ restrictions summarised below are included within the proposed PSPO - Coast and Visitor Areas, where clear support has been demonstrated through the consultation:

*{Add Bullet point list of the proposed restrictions – to follow as appropriate}*

- 9.4 The following items, although receiving overall support, were not as strongly supported (with approval being in the 50-60% margin). These are items Members may wish to discuss further and provide officers with a steer on whether to include or not:

*{Add Bullet point list of the proposed restrictions – to follow as appropriate}*

- 9.5 The following items did not receive support in the consultation (with approval being less than 50%), and so are not proposed for inclusion in the PSPO:

*{Add Bullet point list of the proposed restrictions – to follow as appropriate}*

# Agenda Item 4

Appendix A – Consultation results {to follow}

Appendix B - Stakeholder and other letters {to follow}

Appendix C – proposed draft PSPO {to follow}

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